

26th July, 1943

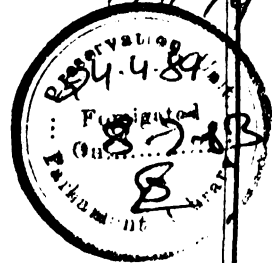
TO
THE LEGISLATIVE ASSEMBLY DEBATES

Official Report

Volume III, 1943

(26th July to 25th August, 1943)

EIGHTEENTH SESSION
OF THE
FIFTH LEGISLATIVE ASSEMBLY,
1943



PUBLISHED BY THE MANAGER OF PUBLICATIONS, DELHI
PRINTED BY THE MANAGER, GOVERNMENT OF INDIA PRESS, NEW DELHI
1943

Price Rs. 1 As. 6 or 2s.

LEGISLATIVE ASSEMBLY.

President:

The Honourable Sir ABDUR RAHIM, K.C.S.I.

Deputy President:

Mr. AKHIL CHANDRA DATTA, M.L.A.

Panel of Chairmen:

[From 27th July to 19th August, 1943.]

Syed GHULAM BHIK NAIRANG, M.L.A.

Mr. K. C. NEOGY, M.L.A.

Mr. HOOSEINBOY A. LALLJEE, M.L.A.

Sir HENRY RICHARDSON, M.L.A.

[From 20th August, 1943.]

Syed GHULAM BHIK NAIRANG, M.L.A.

Dr. P. N. BANERJEA, M.L.A.

Sir F. E. JAMES, M.L.A.

Secretary:

Mian MUHAMMAD RAFI, Barrister-at-Law.

Assistants of the Secretary:

Mr. M. N. KAUL, Barrister-at-Law.

Khan Bahadur S. G. HASNAIN.

Marshal:

Captain Haji Sardar NUR AHMAD KHAN, M.C., I.O.M., I.A.

Committee on Petitions:

Mr. AKHIL CHANDRA DATTA, M.L.A., *Chairman*.

Syed GHULAM BHIK NAIRANG, M.L.A.

Mr. M. GHIASUDDIN, M.L.A.

Sardar SANT SINGH, M.L.A.

Mr. N. M. JOSHI, M.L.A.

CONTENTS

Volume III.—26th July to 25th August, 1943.

	PAGE.		PAGE.
MONDAY, 26TH JULY, 1943—		WEDNESDAY, 28TH JULY, 1943—	
Members Sworn	1	Member Sworn	121
Starred Questions and Answers	1—24	Starred Questions and Answers	121—50
Statements laid on the Table	24—36	Unstarred Questions and Answers	121—54
Death of Mr. Naoroji Dumasai	36—37	The Indian States (Protection against Disaffection) Amendment Bill—Motion to continue adopted	154
Motions for Adjournment re—		The Indian Penal Code (Amendment) Bill—Motion to continue adopted	154
Refusal of the Government of India to forward Mahatma Gandhi's Letter to Mr. M. A. Jinnah—Ruled out of order	37—38	The Muslim Personal Law (Shariat) Applica- tion (Second (Amendment)) Bill—Motion to continue adopted	154
Refusal of permission to Mr. W. Phillips to see Mahatma Gandhi—Disallowed by the Governor General	38	The Usurious Loans (Amendment) Bill— Motion to continue adopted	155
Depriving certain Local Governments of their Power to control Foodstuffs within their respective jurisdiction— Leave refused	38, 39	The Code of Criminal Procedure (Amend- ment) Bill—Motion to continue adopted	155
Failure of the Governor General's Council to protest against Legislation by Ordinances—Disallowed	39	The Indian Merchant Shipping (Amend- ment) Bill—Circulated	155—58
Maladministration in distribution of Wheat—Not moved	39	The Removal of Hindu Social Disabilities Bill—Introduced	158—59
Failure to bring in circulation sufficient number of small coins—Ruled out of order	39—40	The Land Acquisition (Amendment) Bill —Introduced	159
Failure to put into operation the Recip- rocity Act against the Colonial Africans residing in India—With- drawn	40	The Code of Civil Procedure (Amendment) Bill—Introduced	159
Failure to supply First-Aid Equipment, medicines, etc., on the Mail Train which collided with goods Carriages at Borgaon near Akola—Negatived	40—41, 42—58	The Removal of Political Disabilities Bill —Introduced	159
		The Indian Penal Code (Amendment) Bill —Introduced	159
		The Members of the Central Legislature Payment of Salaries Bill—Introduced	159—60
		The Indian Penal Code (Amendment) Bill —Introduced	160
H. E. the Governor General's Assent to Bills	41	THURSDAY, 29TH JULY, 1943—	
Amendment to the Insurance Rules	41—42	Member Sworn	161
Amendments to certain Motor Vehicles Rules	42	Starred Questions and Answers	161—74
The War Injuries (Compensation Insur- ance) Bill—Presentation of the Report of the Select Committee	42—43	Postponed Question and Answer	174—76
The Delhi University (Amendment) Bill— Presentation of the Report of the Select Committee	43	The Indian Boilers (Amendment) Bill— Passed	176—77
The Indian Boilers (Amendment) Bill— Introduced	43	The Reciprocity (Amendment) Bill— Motion to consider adopted	177—78, 181—90, 191—95
The Public Debt (Central Government) Bill—Introduced	43		190—91
The Mines Maternity Benefit (Amendment) Bill—Introduced	43	Statement of Business	
The Motor Vehicles (Drivers) Amendment Bill—Introduced	43	The Motor Vehicles (Drivers) Amendment Bill—Passed	178—80
The Code of Criminal Procedure (Amend- ment) Bill—Introduced	43	The Mines Maternity Benefit (Amendment) Bill—Passed	180—81
The Agricultural Produce (Grading and Marking) Amendment Bill—Introduced	43—44	The Code of Criminal Procedure (Amend- ment) Bill—Referred to Select Com- mittee	196—97
The Indian Army and Indian Air Force (Amendment) Bill—Introduced	44	The Agricultural Produce (Grading and Marking) Amendment Bill—Passed	197—201
The Reciprocity (Amendment) Bill— Introduced	44	The Indian Army and Indian Air Force (Amendment) Bill—Passed	201—02
The Criminal Procedure Amendment Bill —Referred to Select Committee	44—48	FRIDAY, 30TH JULY, 1943—	
		Starred Questions and Answers	203—10
TUESDAY, 27TH JULY, 1943—		Unstarred Questions and Answers	211—14
Member Sworn	59	Statements laid on the Table	214—16
Starred Questions and Answers	59—72	Condemnation of the cowardly attack on Mr. M. A. Jinnah	216—21
Unstarred Questions and Answers	72—81	Motion re the recent Paggig Legislation in South Africa—Adopted as amended	221—54
Statements laid on the Table	81	MONDAY, 2ND AUGUST, 1943—	
Motions for Adjournment re—		His Excellency the Governor General's Address to the Council of State and the Legislative Assembly	255—66
Deaths by starvation in Orissa—Dis- allowed	82	Member Sworn	267
Refusal to allot a day for discussing Government's Monetary Policy— Ruled out of order	82	Starred Questions and Answers	267—88
Policy of the Railway Board in giving Dearness Allowance not by increasing salaries—Disallowed	82	Unstarred Questions and Answers	286—88
Forfeiture of Security of the Hindustan Disallowed	82—83	Statement laid on the Table	288
Failure to commit non-official opinion on the International Clearing Union Scheme—Ruled out of order	83—85	Declaration of Exemption and Notifications under the Registration of Foreigners Act	289—92
Judicial condemnation of the Bombay Government's method of dealing with the sabotage movement at Nandurbar —Ruled out of order	85	Summary of Proceedings of the Third Meeting of the Standing Labour Com- mittee	292
Excessive inflation of the Paper Cur- rency—Ruled out of order	85—86	The Reciprocity (Amendment) Bill—Dis- cussion on consideration of clauses not concluded	292—309
Nomination of the Panel of Chairmen Resolution re treatment of Political Prisoners and Detenus—Negatived	86—120	TUESDAY, 3RD AUGUST, 1943—	
		Starred Questions and Answers	311—24
		Unstarred Questions and Answers	324—27
		The Reciprocity (Amendment) Bill— Passed as amended	327—33
		The Delhi University (Amendment) Bill —Discussion on the motions to consider and to circulate not concluded	333—68

	PAGES.
WEDNESDAY, 4TH AUGUST, 1943—	
Starred Questions and Answers	359—74
Unstarred Questions and Answers	374—78
Committee on Petitions	378
Statement of Business	379
The Delhi University (Amendment) Bill— Discussion on consideration of clauses not concluded	379—414
THURSDAY, 5TH AUGUST, 1943—	
Starred Questions and Answers	415—83
Unstarred Questions and Answers	433—35
Motion for Adjournment <i>re</i> deaths due to starvation and famine condition in Bengal—Ruled out of order	436
The Delhi University (Amendment) Bill— Discussion on the consideration of clauses not concluded	436—69
FRIDAY, 6TH AUGUST, 1943—	
Starred Questions and Answers	471—83
Unstarred Question and Answer	483
Motion for Adjournment <i>re</i> deaths due to starvation in Bengal	483—85
Declaration of Exemption under the Regis- tration of Foreigners Act	486
The Delhi University (Amendment) Bill— Discussion on consideration of clauses not concluded	485—516
MONDAY, 9TH AUGUST, 1943—	
Member Sworn	517
Starred Questions and Answers	517—27
Unstarred Questions and Answers	527—29
Message from the Council of State	529
Statement of Business	529—30
Interim Report of the Railway Convention Committee	530—33
Motion <i>re</i> the Food Situation—Discussion not concluded	534—74
TUESDAY, 10TH AUGUST, 1943—	
Starred Questions and Answers	575
Motions for Adjournment <i>re</i> — Loss of Life due to Floods in Ajmer— Disallowed	575
Raid by the Delhi Police on the Premises of <i>The Hindustan Times</i> —Ruled out of order	575—76
Motion <i>re</i> the Food Situation—Concluded	576—621
WEDNESDAY, 11TH AUGUST, 1943—	
Member Sworn	623
Starred Questions and Answers	623—31
Unstarred Question and Answer	632
Message from the Council of State	632
Secret Session	633
THURSDAY, 12TH AUGUST, 1943—	
Transferred Starred Questions and An- swers	635—58
Short Notice Question and Answer	658—59
Motion for Adjournment <i>re</i> failure of Government to secure attendance of Government Members for constituting a quorum in the Assembly—Ruled out of order	659—61
Resolution <i>re</i> — Pilgrimage to the Hedjas—Negatived	661—82
Stabilization of Prices—Discussion not concluded	682—97

	PAGES.
FRIDAY, 13TH AUGUST, 1943—	
Statements laid on the Table	699—701
The War Injuries (Compensation Insur- ance) Bill—Passed	701—24
The Delhi University (Amendment) Bill— Discussion on consideration of clauses not concluded	724—40
Statement of Business	740
TUESDAY, 17TH AUGUST, 1943—	
Member Sworn	741
Short Notice Question and Answer	741
Motion for Adjournment <i>re</i> failure to prevent export of rice from Bengal— Ruled out of order	742—43
The Delhi University (Amendment) Bill— Discussion on consideration of clauses not concluded	743—80
WEDNESDAY, 18TH AUGUST, 1943—	
The Delhi University (Amendment) Bill— Discussion on consideration of clauses not concluded	781—817
THURSDAY, 19TH AUGUST, 1943—	
The Delhi University (Amendment) Bill— Discussion on consideration of clauses not concluded	819—58
FRIDAY, 20TH AUGUST, 1943—	
Short Notice Question and Answer	859—61
Nomination of the New Panel of Chairmen	861
The Delhi University (Amendment) Bill— Discussion on consideration of clauses not concluded	861—95
SATURDAY, 21ST AUGUST, 1943—	
Motions for Adjournment <i>re</i> — Demolition of a Mosque on Asoka Road, New Delhi—Disallowed	897
Non-release of Maulana Hafizul Bah- man detained in Moradabad Jail— Ruled out of order	897—98
Message from the Council of State	898
The Delhi University (Amendment) Bill— Discussion on consideration of clauses not concluded	898—935
TUESDAY, 24TH AUGUST, 1943—	
Member Sworn	937
Motion for Adjournment <i>re</i> Serious Food Situation in Bihar due to purchase of Foodgrains by Government for Export —Ruled out of order	937—38
The Delhi University (Amendment) Bill— Discussion on consideration of clauses concluded	938—76
WEDNESDAY, 25TH AUGUST, 1943—	
Short Notice Questions and Answers	979—81
Statements laid on the Table	981—83
Motion for Adjournment <i>re</i> failure to transport Government purchased Wheat from the Punjab to famine-stricken East- ern Provinces—Ruled out of order	983—84
The Delhi University (Amendment) Bill— Passed as amended	984—1018
The Public Debt (Central Government) Bill—Circulated	1018—19

THE
LEGISLATIVE ASSEMBLY DEBATES
(OFFICIAL REPORT OF THE EIGHTEENTH SESSION OF THE FIFTH
LEGISLATIVE ASSEMBLY)

VOLUME III—1943

LEGISLATIVE ASSEMBLY

Monday, 26th July, 1943

The Assembly met in the Assembly Chamber of the Council House in New Delhi, at Eleven of the Clock, being the First Day of the Eighteenth Session of the Fifth Legislative Assembly, pursuant to Section 69-D(2) of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935. Mr. President (The Honourable Sir Abdur Rahim, K.C.S.I.), was in the Chair.

MEMBERS SWORN :

- The Honourable Dr. Sir Muhammad Azizul Huque, C.I.E. (Member for Commerce, Food and Industries and Civil Supplies);
The Honourable Dr. Narayun Bhaskar Khare (Member for Indians Overseas);
The Honourable Sir Asoka Kumar Roy (Law Member);
Sree G. Rangiah Naidu, M.L.A. (Madras City: Non-Muhammadan Urban);
Khan Bahadur Sheikh Habibur-Rahman, M.L.A. (Nominated Non-Official);
Mr. S. C. Chatterji, M.L.A. (Nominated Non-Official);
Mr. Noel Victor Housman Symons, C.I.E., M.C., M.L.A. (Government of India: Nominated Official); and
Mr. Saiyid Rashid-uz-Zaman, M.L.A. (Government of India: Nominated Official).

STARRED QUESTIONS AND ANSWERS.

(a) ORAL ANSWERS.

SECRETARIES, ETC., AND STAFF IN THE GOVERNMENT OF INDIA DEPARTMENTS AND
THE AMOUNT OF THEIR SALARIES.

†1. ***Mr. R. E. Gupta:** Will the Honourable the Home Member be pleased to state:—

(a) the number of Secretaries, Joint Secretaries and Assistant Secretaries in the various Departments of the Government of India in March of the years 1918, 1930, 1934, 1938 and 1943, separately;

(b) the total amount paid in each of these years towards salaries and allowances, if any, to these officers; and

(c) the number of staff, and the amount of salaries paid to the staff working in the Central Secretariat in 1918—1930, 1931 and 1943 separately?

The Honourable Sir Reginald Maxwell: (a) to (c). The compilation of a statement of this kind for each Department of the Government of India would involve an amount of time, trouble and expense which would not be justifiable in war time. The Government of India therefore regret their inability to undertake to make the necessary inquiries in the matter.

†Answer to this question laid on the table, the questioner being absent.

MR. GANDHI'S LETTER TO MR. JINNAH.

2. *Mr. Nabi Baksh Illahi Baksh Bhutto: (a) Will the Honourable the Home Member be pleased to place on the table a copy of the letter of Mr. Gandhi, which he addressed to Mr. Jinnah?

(b) Why was it not delivered to Mr. Jinnah?

(c) Did the Government of India consult the British Government before stopping this letter?

The Honourable Sir Reginald Maxwell: (a) No.

(b) and (c). I would invite the Honourable Member's attention to the Press Communiqué issued by Government on May 27th, 1943, a copy of which I place on the table. I have nothing to add to this Communiqué.

Press Communiqué.

The Government of India have received a request from Mr. Gandhi to forward a short letter from himself to Mr. Jinnah expressing a wish to meet him.

In accordance with their known policy in regard to correspondence or interviews with Mr. Gandhi the Government of India have decided that this letter cannot be forwarded and have so informed Mr. Gandhi and Mr. Jinnah. They are not prepared to give facilities for political correspondence or contact to a person detained for promoting an illegal mass movement which he has not disavowed and thus gravely embarrassing India's war effort at a critical time. It rests with Mr. Gandhi to satisfy the Government of India that he can safely be allowed once more to participate in the public affairs of the country, and until he does so the disabilities from which he suffers are of his own choice.

HOME DEPARTMENT;
New Delhi, May 26, 1943.

Mr. Lalchand Navalrai: May I know from the Honourable Member if this letter is a sealed letter up to this time and not shown to any one?

The Honourable Sir Reginald Maxwell: I have already answered that question by referring the Honourable Member to the Communiqué issued on the subject.

Mr. Lalchand Navalrai: I only want to know whether that letter has been a sealed letter or whether it has been shown to anybody up to this time.

The Honourable Sir Reginald Maxwell: The question was whether Government would please place on the table a copy of the letter and it seems to me that any other question relating to the letter is not relevant to the question.

Mr. Lalchand Navalrai: Has the letter been placed on the table?

The Honourable Sir Reginald Maxwell: I have replied to that question.

Mr. Lalchand Navalrai: My question is whether a letter which could not reach the addressee and was withheld was shown by Government to any one.

The Honourable Sir Reginald Maxwell: It has not been shown to any member of the public, if that is what the Honourable Member means.

Mr. Lalchand Navalrai: May I know if the Governor of the Punjab has shown it to some people?

The Honourable Sir Reginald Maxwell: I am not aware of any such thing.

Mr. Lalchand Navalrai: Apart from the public, has it been shown to any Government official?

The Honourable Sir Reginald Maxwell: It has been handled in the Secretariat in the ordinary course.

CORRESPONDENCE WITH MR. WILLIAM PHILLIPS *re* PERMISSION TO SEE MR. GANDHI

3. *Mr. Nabi Baksh Illahi Baksh Bhutto: Will the Honourable the Home Member be pleased to place on the table a copy of the letter of Mr. William Phillips in which he sought permission to see Mr. Gandhi, and also a copy of the reply which the Government of India gave to Mr. William Phillips?

The Honourable Sir Reginald Maxwell: Government regret that they are not prepared to accede to the Honourable Member's request.

Mr. Lalchand Navalrai: Why is Mr. Gandhi treated as an untouchable and is not allowed to be seen by any one?

Mr. President (The Honourable Sir Abdur Rahim): I do not think there is any question of untouchability here.

Mr. Lalchand Navalrai: I want to know the reasons why he is being treated in such a manner as if he is an untouchable or a *harijan* and is not allowed to be seen by any one.

The Honourable Sir Reginald Maxwell: If the Honourable Member will refer to the communiqué which I have just placed on the table and which has already been made public he will find the reasons.

INDIAN PRISONERS OF WAR IN JAPAN.

4. ***Mr. Nabi Baksh Illahi Baksh Bhutto:** (a) Will the Honourable the Defence Member be pleased to state the number of Indian prisoners of War in Japan?

(b) What is the number of Japanese prisoners of War in India?

(c) What are the facilities given to the Indian prisoners of War in Japan?

(d) Is it a fact that the Indian prisoners of War are not treated according to the International Law? If so, what representations have the Government of India made to the Japanese Government?

The Honourable Malik Sir Feroz Khan Noon: (a) The number of Indian personnel so far notified as being prisoners of war in Japanese hands is 1,270.

68,499 Indian personnel are still unaccounted for and it is believed that the majority are prisoners of war in Japanese hands.

(b) It is not in the public interest to disclose the number of Japanese prisoners of war in India.

(c) Very little information has been received regarding the treatment of Indian prisoners of war in Japanese hands. So far Representatives of the Protecting Power and Delegates of the International Red Cross Committee have not been allowed by the Japanese authorities to visit camps in which Indian prisoners of war are detained. His Majesty's Government have made strong protest through the Protecting Power to the Japanese Government, but so far without avail.

(d) Such information as is available indicates that in many cases prisoners captured by the Japanese have been most brutally treated. Specific cases have been referred to His Majesty's Government with a view to lodging a strong protest through the Protecting Power.

Mr. Lalchand Navalrai: Has the Honourable Member got the names of the prisoners or only the total number?

The Honourable Malik Sir Feroz Khan Noon: So far as I am aware, we have no names of prisoners and as a matter of fact even these numbers we were not able to get for a very long time. The Japanese have been most difficult in this matter.

Mr. Lalchand Navalrai: May I know what treatment is being given to Japanese prisoners in India?

The Honourable Malik Sir Feroz Khan Noon: We always try to follow the International Conventions which we have entered into, and it does not mean that if another nation breaks these treaties or agreements into which they have entered we should also follow suit.

Mr. Lalchand Navalrai: Cannot the Government of India make an appeal to the international Governments (*Voices of "Where are they?"*) or through some other channel seek to see that Indian prisoners are treated in the same way, failing which retaliatory steps should be taken here?

The Honourable Malik Sir Feroz Khan Noon: We are doing our best but, as I said, the Japanese are most difficult in this matter.

Sardar Sant Singh: Did the Japanese Government make similar inquiries about their prisoners of war in India?

The Honourable Malik Sir Feroz Khan Noon: I do not remember; I shall require notice of that question.

Mr. Govind V. Deshmukh: Do not the Government of India consider it better not to treat the Japanese prisoners in accordance with the Conventions and thus invite a representation by the Japanese Government?

The Honourable Malik Sir Feroz Khan Noon: I said that it is very difficult for this Government to break any of the treaties which they have entered into.

through the international organisations and if we start breaking them we do not know how far the others will go in maltreating our prisoners of war. And when their ideas are already so low I think it is to the interest of our prisoners still in their hands that we must not make the situation any worse than it is now.

Mr. Govind V. Deshmukh: The Honourable Member said that the Indian prisoners in Japanese hands are most brutally treated. In that case is it incumbent on us to follow the International Conventions and would it not be better to invite representations from the Japanese Government with regard to the treatment of their prisoners?

The Honourable Malik Sir Feroz Khan Noon: I will explain the position by giving a little example. If our prisoners in their hands are a hundred thousand and their prisoners with us are a thousand and we say we are going to cut off the heads of their one thousand prisoners with us, they will also cut off the heads of our hundred thousand prisoners with them. Does the Honourable Member want me to do that?

RUPEE NOTES AND PAPER CURRENCY IN CIRCULATION.

5. ***Mr. Nabi Baksh Illahi Baksh Bhutto:** (a) Will the Honourable the Finance Member be pleased to state—

- (i) the value of Rupee notes;
- (ii) the value of Five Rupee notes; and
- (iii) the total value of paper currency;

in circulation up to June 30th, 1943?

(b) What measures have been adopted by Government to check the inflation?

The Honourable Sir Jeremy Raisman: (a) (i) No distinction is maintained in the accounts of the Reserve Bank between rupee coin and one rupee notes.

(ii) and (iii). Information as to the value of five rupee notes in circulation is not readily available. The total value of currency notes in circulation will be found in the weekly accounts of the Reserve Bank which are published in the *Gazette of India*.

(b) I would invite the attention of the Honourable Member to the reply given to part (b) of Dr. Bangrjea's question No. 117 in this House on the 21st of September last. More recent measures in the Central sphere, apart from taxation and borrowing, taken with this end in view are:

- (i) Summary provisional assessment of Excess Profits Tax;
- (ii) Compulsory deposits of Excess profits;
- (iii) Restriction of the extent to which purchase of raw materials and bonuses to employees will be allowed to count for Excess Profits Tax purposes;
- (iv) Control over new capital issues;
- (v) Prohibition of forward contracts and options of certain commodities including bullion; and
- (vi) Cloth and yarn control.

Mr. Lalchand Navalrai: May I know if the Reserve Bank or the Government of India keeps any silver or gold in place of the notes issued?

The Honourable Sir Jeremy Raisman: A statement is published by the Reserve Bank to indicate the assets which are held against the note circulation.

Mr. Lalchand Navalrai: Then may I take it that they are so held?

The Honourable Sir Jeremy Raisman: The Honourable Member is surely aware that a considerable quantity of gold is held in the reserve.

Sir Cowasjee Jehangir: Will the Honourable Member state what he has done with regard to bonuses, to limit them or to lay down any rules and regulations?

The Honourable Sir Jeremy Raisman: The matter is at present under consideration and the Chambers of Commerce have been consulted.

Sir Cowasjee Jehangir: How long will it take before the orders are issued?

The Honourable Sir Jeremy Raisman: I cannot say; we have not received replies from all these bodies.

Sir Cowasjee Jehangir: Will these orders include dearness allowance?

The Honourable Sir Jeremy Raisman: I do not think the rule as drafted covers dearness allowance.

Mr. Govind V. Deshmukh: Do Government consider forfeiture of press deposits as one of the best means of checking inflation?

The Honourable Sir Jeremy Raisman: No, Sir, that action is not taken in pursuance of anti-inflationary schemes.

Mr. Abdur Rasheed Choudhury: May I know if paper currency is now in excess of the statutory limit of gold and silver reserve?

The Honourable Sir Jeremy Raisman: No, Sir, it is not in excess of what is laid down by statute.

Dr. Sir Zia Uddin Ahmad: Will the Honourable Member give me the definition of the word 'inflation'? What I want to know is the limit: If the number exceeds that limit it is inflation and if it does not increase it is deflation. What is that number at the present moment?

The Honourable Sir Jeremy Raisman: I am afraid that question will require a treatise to answer it.

Dr. Sir Zia Uddin Ahmad: Then how will you find whether it exists or does not exist?

(No answer was given.)

Mr. Jamnadas M. Mehta: With reference to the six measures which the Honourable Member described, have they resulted in checking the inflation at all?

The Honourable Sir Jeremy Raisman: Yes, Sir. There has been a most notable improvement in the general situation, and the general index has not only ceased to move upwards but has actually begun to move downwards.

Mr. Jamnadas M. Mehta: By how many points?

The Honourable Sir Jeremy Raisman: I think it has moved down by six points, but I would emphasise that in dealing with inflationary tendencies the important thing is to arrest the upward movement. That in itself is a tremendous result to achieve, and any downward movement is proportionately more welcome.

Mr. Jamnadas M. Mehta: Are Government justified in describing it as remarkable?

The Honourable Sir Jeremy Raisman: If my Honourable friend has made any study of the history of this kind of thing, he will come to the conclusion that the word 'remarkable' is not unjustified.

Mr. Jamnadas M. Mehta: Why does the Honourable Member accuse others of not studying. Does he study anything?

Mr. President (The Honourable Sir Abdur Rahim): That question does not arise. The Honourable Member can argue that later.

Mr. Jamnadas M. Mehta: Where?

Mr. President (The Honourable Sir Abdur Rahim): Not in the question time.

JAPANESE AIR RAIDS ON FENI, COX BAZAR, CHITTAGONG, ETC.

6. ***Mr. Amarendra Nath Chattopadhyaya:** Will the Honourable Member for Civil Defence please state if it is a fact that between April 2nd and June 26th, there have been several air raids by Japan on Feni, Cox Bazar, Chittagong, Dibrugarh, Imphal and near about Sylhet? If so, will the Honourable Member be pleased to state—

- (i) the number of casualties in all the places, separately;
- (ii) the number of people wounded not fatally;
- (iii) the damage to private and Government properties;
- (iv) the number of enemy planes employed in such raids;
- (v) the number of enemy planes destroyed and brought down and the number of enemy planes damaged; and
- (vi) the number of planes of the Allied Nations employed to fight, and the number of such planes destroyed and damaged in such fights?

Mr. N. V. H. Symons: During the period between the 2nd of April and 26th June, 1943, there were seven raids on British India and three on Indian States. All the raids on British India were directed against military targets in South East Bengal.

(i) The number of civilian casualties in these raids on British India was 110.

(ii) Of this number 72 were wounded.

(iii) Damage to property was negligible.

(iv) to (vi). The matters raised in these questions are the concern of the War Department to whom questions regarding them should be addressed.

Mr. Abdur Rasheed Choudhury: May I know what was the number of casualties in Singerbil Raid?

Mr. N. V. H. Symons: I made it clear in my answer to starred question No. 69 on the 12th of February that we were not prepared to give individual figures for individual raids and gave the reasons.

Mr. Lalchand Navalrai: May I know from the Honourable Member whether these raids, which caused some damage to property or casualties, were really directed towards military targets but only hit the civil population by chance, or were they also directed towards the civil population?

Mr. N. V. H. Symons: I think the Honourable Member will find that that question will be answered when I answer the next question.

CIVIL DEFENCE MEASURES IN PLACES RAIDED BY JAPANESE PLANES.

7. ***Mr. Amarendra Nath Chattopadhyaya:** (a) Will the Honourable Member for Civil Defence be pleased to state when the last meeting of the Standing Committee of Civil Defence was convened, and how it was that he did not think it necessary to call the Standing Committee of Civil Defence up to date?

(b) What arrangements had been made for the protection of the non-fighting Civil population in the places raided since April 2nd?

(c) What was the total number of Civic Guards and A. R. P. workers and officers in Bengal, Assam and Orissa before and after the raids by Japanese planes?

(d) What arrangements have been made for the protection of the Civil population in Arakan where fighting and raids are occurring now-a-days?

(e) When did the Honourable Member pay visits to the raided places last, and will he be pleased to lay on the table a detailed statement of the incidents in connection with the raids?

(f) What special precautionary measures have been taken for the protection of the Civil population in industrial areas of Bengal after the experience of raids in Bengal?

Mr. N. V. H. Symons: (a) 10th November, 1942. The next meeting has been called for 31st July. Meetings of the Standing Committee are called whenever the Honourable Member in charge of the Department desires its advice on major questions of general policy.

(b) A statement is laid on the table.

(c) The figures are not available in the Government of India but I may say that neither casualties nor desertions have been reported from the Provinces of Bengal, Assam and Orissa in connection with their A.R.P. Services as a result of recent raids.

Civic Guards are the concern of the Home Department to whom any questions concerning them should be addressed.

(d) Arakan not being in British India, no arrangements have been made by the Civil Defence Department of this Government.

(e) The Honourable Member for Civil Defence has not visited the raided places all of which, in British India, were primarily military targets.

I would refer the Honourable Member to the reply given to parts (i), (ii) and (iii) of his starred question No. 6 and would add that civilian casualties which occurred in five of the seven raids directed against military targets in S.E. Bengal were collected and treated under the special A.R.P. arrangements made for labour working on military projects and for villagers in the vicinity of military targets which have been described in the statement just laid on the table. In one of these raids a village in the vicinity of a military target received some bombs and in this case alone slight damage to civilian property was sustained.

(f) Full A.R.P. measures are in force as described in answer to starred question No. 59 on the 16th September, 1942 and no special measures are necessary. In the industrial areas of Bengal, as elsewhere in India, where the Civil Defence Services have been put to the test in recent months they have given complete satisfaction and no changes in the system have been required.

Statement.

The raids on British India between April, 2, and July, 22, have all been directed against military targets in South East Bengal. The arrangements made by the Government of Bengal for villages in the immediate vicinity of military targets are:—

(i) At each military target there will be a collecting post with a doctor, two first-aiders with necessary medical equipment and two First Aid Parties with cars and staff concentrated in a depot. These collecting posts are in a position to operate in the vicinity and can be supplemented, when necessary, from a small reserve consisting of a number of ambulances, first aid party cars with personnel, a trailer pump, and a spare vehicle for the carriage of equipment kept centrally in the area for the purpose.

(ii) Warnings are passed down to villagers in the vicinity for dissemination by means of hand-operated sirens, the beat of gongs and other similar methods.

(iii) Instructions are given to villagers to dig trenches and to take shelter in them when they get a warning or hear bombs falling. They are taught simple first aid and the best method of dealing with fires; they are made acquainted with arrangements for reporting casualties and the presence of suspected unexploded bombs.

(iv) To supplement medical resources in any particular area a mobile surgical team of 3 doctors has been established at a central point.

(v) In addition to the arrangements made by the Government of Bengal, special arrangements exist for labour employed on military targets in areas of Bengal lying East of Calcutta. They include slit trenches for 100 per cent. of the labour, adequate first-aid arrangements, arrangements for the transfer of casualties to civil hospitals, a system of raid spotters and visual and audible warning signals.

Mr. Lalchand Navalrai: May I know why does the Government allow the civil population to live near the military areas which are vulnerable?

Mr. N. V. H. Symons: The Government does not prevent them from leaving if they wish to leave.

Mr. Lalchand Navalrai: But when there is danger, the Government should, on the contrary, ask those people to leave, and they should also make the necessary arrangements for them. Have the Government taken any steps in that direction?

Mr. N. V. H. Symons: No, Sir.

Mr. Lalchand Navalrai: Will the Government do it now?

Mr. N. V. H. Symons: No, Sir.

Mr. Lalchand Navalrai: Will the matter be placed before the Standing Committee?

Mr. N. V. H. Symons: Matters can only be placed before the Standing Committee on which the Honourable Member in charge of the Department desires its advice. I will bring this matter to the notice of the Honourable Member in charge.

DEMOLITION OF MUSLIM GRAVES ON BAIRD ROAD, NEW DELHI.

8. ***Maulvi Muhammad Abdul Ghani:** (a) Will the Honourable the Home Member please state whether the attention of the Government of India has been drawn to an article published on page 4 of the *Daily Payam* of Delhi, dated the 24th May, 1943, regarding demolition or digging out of a number of Muslim graves by a Hindu Contractor on the Baird Road, New Delhi, near the temple of 'Kali'? If so, what action has been taken by the Provincial or the Central Government, and with what result?

(b) What is the number of graves so dug out?

The Honourable Sir Reginald Maxwell: The question should be addressed to the representative of the Education, Health and Lands Department.

DEFENCE OF INDIA RULES DECLARED *ultra vires* BY HIGH COURTS AND THE FEDERAL COURT.

9. ***Mr. Lalchand Navalrai:** (a) Will the Honourable the Defence Member be pleased to state how many times the High Court and the Federal Court have held some of the rules framed under the Defence of India Act to be

ultra vires? Which High Courts have held the rules *ultra vires* and which are those rules?

(b) Is it a fact that recently the Federal Court in India held Rule 26 of the Defence of India Rules to be *ultra vires*?

(c) Has any expert judicial officer revised these rules in order to see if they were valid or invalid?

(d) Do Government propose to appoint some of the Judges of the Federal Court and the High Courts to examine these rules with a view to seeing if all the rules are consistently and properly framed within the rule-making power given to the Government under the Defence of India Act? If so, when? If not, why not?

The Honourable Malik Sir Feroz Khan Noon: (a) and (b). Rule 26 was held to be *ultra vires* of the Defence of India Act, as it then stood, in a judgment pronounced by the Federal Court on the 22nd April, 1943. The Government of India are aware of no other occasion on which any rule under the Defence of India Act has been held to be *ultra vires* either by the Federal Court or by a High Court.

(c) No. Government depend on their normal legal advisers for satisfying themselves regarding the validity of rules.

(d) No. The rules are examined from this point of view by Government legal advisers before they are framed.

Mr. Lalchand Navalrai: May I know from the Honourable Member who are those legal advisers who have framed these rules in which one rule is found to be *ultra vires*?

The Honourable Malik Sir Feroz Khan Noon: The legal advisers of this Government are the Law Department headed by the Law Member.

Mr. Lalchand Navalrai: Is the Law Member doing this alone?

The Honourable Malik Sir Feroz Khan Noon: The Law Member is responsible and he is quite competent to deal with this matter.

Mr. Lalchand Navalrai: I know he is; I do not want to be told about that. What I am asking is whether the Law Department do this work by themselves, or do they co-opt any people, or is it left to the sweet will of the Law Department?

The Honourable Malik Sir Feroz Khan Noon: When you say that the Law Member is competent to deal with this matter, why do you ask for others?

Mr. Lalchand Navalrai: Competent judges make mistakes; don't they? Therefore I am asking as to whether it is only one officer who is doing this business, or is it done in consultation with any experts, or in a committee. If not, say so.

The Honourable Malik Sir Feroz Khan Noon: Government are satisfied that their Law Department are quite competent to deal with it and they do not need any other assistance.

Dr. P. N. Banerjee: Is it not a fact that the Law Member had no hand in the framing of the Ordinances?

The Honourable Malik Sir Feroz Khan Noon: I require notice of that question.

Pandit Lakshmi Kanta Maitra: Is the Honourable Member aware that the Home Department has quite a lot to do with the framing of these Rules under the Defence of India Rules?

Mr. Govind V. Deshmukh: Does not the Government know who framed the Rules?

The Honourable Malik Sir Feroz Khan Noon: Ordinarily every Department concerned with any Rule is consulted before the Rules are actually published.

Sardar Sant Singh: Who frames the text of the Rules to give them the legal touch.

The Honourable Malik Sir Feroz Khan Noon: The text of the Rules is framed by the Law Member in consultation with the Department concerned.

JAPANESE RAIDS OVER EASTERN INDIA AND THE PRESENT WAR SITUATION.

10. ***Mr. Lalchand Navalrai:** (a) Will the War Secretary be pleased to state how many times, since the last session of the Legislative Assembly, Japan

has raided the Eastern borders of India including parts of Assam, Chittagong aerodromes, and Calcutta and its suburbs?

(b) How many aeroplanes of the enemy were brought down or destroyed during the raids mentioned in part (a), and how many British and American aeroplanes were destroyed by the enemy? What is the number of such casualties, and what damage was done by these raids on either side?

(c) Does the Honourable Member propose to make a full statement on the present condition of war in the East and the West and in North Africa; and for that purpose do Government propose to call a secret meeting in order to take the Honourable Members of the Legislature into their confidence? If not, why not?

Mr. C. M. Trivedi: (a) Ten times.

(b) Eighteen enemy aircraft destroyed; eight probably destroyed.

Six allied aircraft missing (two of the pilots are safe). Military damage caused by these raids was negligible.

(c) On the understanding that you, Sir, would be prepared to issue directions in the sense of those issued in connection with the Secret Session held on the 27th February 1942, Government will be glad to arrange for the discussion of the war situation on a formal motion to be moved at a secret meeting to be held in the course of the current Session. If this arrangement is made, a full statement on the war situation will be made by His Excellency the Commander-in-Chief in the course of the debate and in the circumstances I do not propose to make a statement on this occasion.

Mr. President (The Honourable Sir Abdur Rahim): If a motion like that is going to be made I shall take steps to see that the public gallery is cleared, except the gallery which will be reserved for the Members of the Council of State. I shall also direct that the proceedings will not be taken down as ordinary.

FAMILY BUDGET OF A PEON.

11. ***Dr. Sir Zia Uddin Ahmad:** (a) Has the Honourable the Finance Member considered the budget of a peon getting Rs. 20 *per mensem* as pay and having a normal family of a wife and four children?

(b) Does he propose to examine the condition of such a family which has got no other income?

The Honourable Sir Jeremy Raisman: (a) and (b). A peon in Delhi who draws pay of Rs. 17 and lodging allowance of Rs. 3 is entitled in addition to:

(i) dearness allowance of Rs. 8-8-0 *per mensem*;

(ii) the supply of wheat or rice at concessional rates. The value of this concession for a peon with a family of the size referred to by the Honourable Member would, at the rates prevailing when the scheme was introduced, be Rs. 13 p. m.

Government consider that by granting the above concessions they have given considerable relief to the staff concerned, who cannot be completely protected from conditions created by the war.

Dr. Sir Zia Uddin Ahmad: He has mentioned these rates. Is he aware that these rates are not given at any place except Delhi?

The Honourable Sir Jeremy Raisman: There are different concessions in different places for Central personnel. I am not aware whether any considerable number of peons belonging to the Central Government are employed in the U. P.

Dr. Sir Zia Uddin Ahmad: Yes, the Post Office.

The Honourable Sir Jeremy Raisman: The concessions to the Postal and Telegraph personnel have been given in accordance with a different rule.

Dr. Sir Zia Uddin Ahmad: The concessional rates are different from the dearness allowance, and I should like to know whether these rates are given to all the servants of the Government of India.

The Honourable Sir Jeremy Raisman: They are given in localities in which these concessions appear to be called for and in which it is possible for the Central Government to make the necessary arrangements.

Mr. Jamnadas M. Mehta: Will the Honourable Member state how he arrives at the figure of Rs. 13?

The Honourable Sir Jeremy Raisman: I am afraid I shall have to take the Honourable Member through certain details which I could hardly give just now.

Mr. Jamnadas M. Mehta: Does he want to assure us that these Rs. 13 is a real figure and not only a paper figure?

The Honourable Sir Jeremy Raisman: As far as I am aware the supplies are being made.

Mr. Jamnadas M. Mehta: Of all the articles mentioned therein?

The Honourable Sir Jeremy Raisman: I mentioned wheat and rice. Both of these are being supplied.

Dr. Sir Zia Uddin Ahmad: In drawing up the Budget, we also considered the rent of the house and the cost of clothing but the Honourable Member has said nothing about them.

The Honourable Sir Jeremy Raisman: Certain peons have quarters supplied for them and most of them have clothing supplied. So that, I do not think the Honourable Member's question arises.

Dr. Sir Zia Uddin Ahmad: May I say that these people include persons who are drawing only Rs. 20 p. m. and that in the circumstances it might pay them better if they committed a dacoity, provided their children with a few thousands and went to jail themselves!

Sir Cowasjee Jehangir: Are these concessions the same for all the principal parts of India or does the Honourable Member vary these concessions?

The Honourable Sir Jeremy Raisman: The concessions are different in different localities. For instance, conditions are different in Calcutta from those say, in Nagpur, and again from those in Delhi.

Mr. Lalchand Navalrai: Is it a fact that the Honourable Member and also the Member for Railways have seen representations from those to whom the concessional rates have been given detailing and showing that these rates are not sufficient and that they should be increased?

The Honourable Sir Jeremy Raisman: The question seems to me to concern mostly the Honourable Member for Railways.

Mr. President (The Honourable Sir Abdur Rahim): Next question. Sardar Sant Singh.

REPRESENTATION FROM SARDAR DIWAN SINGH MAFTOON, PROPRIETOR, *The Riyasat*, DELHI.

12. *Sardar Sant Singh: Will the Honourable the Home Member please state if he received any written representation from Sardar Diwan Singh Maftoon, Proprietor, *The Riyasat*, Delhi, who is in detention in Ferozapore Jail, under Rule 26 of the Defence of India Rules, contesting the answer given to my question about him? If so, have Government considered the representation? If so, did they make any independent enquiries?

The Honourable Sir Reginald Maxwell: A representation has been received from the prisoner and examined. I have nothing to add to the reply which I gave to the Honourable Member's question No. 269 on the 9th March, 1943.

Sardar Sant Singh: May I know from the Honourable Member, Sir, in view of the serious allegations brought against the police officers, he has employed any independent agency to go into the question whether Sardar Dewan Singh Editor of the *Riyasat* was participating in any subversive movement?

The Honourable Sir Reginald Maxwell: In my previous reply referred to, I have quoted the following sentence from the judgment of the Court:

"Throughout the whole course of the case, the police have been the subject of attack. I feel compelled to describe this attack as, in all respects, absolutely baseless, and in almost all respects foolish."

This was the judgment of the High Court.

Sardar Sant Singh: May I ask the Honourable Member, apart from the judgment of the High Court, whether in the representation certain serious allegations have been made about the *mala fides* of the persons who reported against him? Will he employ any independent agency to make an enquiry whether he participated in any subversive activity?

The Honourable Sir Reginald Maxwell: No, Sir. The High Court is good enough for me.

Sardar Sant Singh: As the cases cannot go to the High Court, will the Honourable Member be justified in dealing with those cases on the report of those very persons against whom open allegations were made in the High Court, though the High Court might have come to a different finding?

Mr. President (The Honourable Sir Abdur Rahim): Next question.

DETENTION OF ABDUL AZIZ OF RAWALPINDI.

13. *Sardar Sant Singh: (a) Will the Honourable the Home Member please state if it is a fact that Abdul Aziz, a Socialist Leader of Rawalpindi, has been under detention under Rule 26 of the Defence of India Rules since 1940?

(b) Is it a fact that he was one of the detenus in the Deoli Camp?

(c) Is it a fact that after the discontinuation of the Deoli Camp Jail he was transferred to the Gujrat Jail in the Punjab? If so, in what Jail is he detained, and what is the condition of his health? Was his case reviewed? If so, when?

The Honourable Sir Reginald Maxwell: (a) Abdul Aziz was detained under the orders of the Punjab Government. The Government of India are not aware of the date of his detention.

(b) Yes.

(c) The answer to the first part is in the affirmative. The Government of India have no information with regard to the second part.

Sardar Sant Singh: May I know from the Honourable Member if, before passing the order under Rule 26, which the Government of India alone can pass, the Government of India were consulted in the matter or not?

The Honourable Sir Reginald Maxwell: The Honourable Member is wrong in supposing that only the Government of India can pass orders under Rule 26.

DETENUS AND FACILITIES ALLOWED TO THEM.

14. *Mr. Govind V. Deshmukh: Will the Honourable the Home Member please state:—

(a) the number of the present detenus;

(b) the number of interviews allowed, the monthly allowance given to these detenus, and the amenities allowed to them about a year ago and now;

(c) if a province where the detenus happen to be, is at liberty to modify the instructions of the Government as regards allowance, interviews; and

(d) under what conditions detenus are released; if a Provincial Government can use their discretion in the matter?

The Honourable Sir Reginald Maxwell: (a) The total number of persons in detention under rule 26 of the Defence of India Rules on the 1st June, 1943, was 11,717 excluding North-West Frontier Province for which figures are not available.

(b) The Government of India are concerned only with Security Prisoners detained in the Chief Commissioners' Provinces, whose treatment is governed by the Central Government Security Prisoners Order, 1942, a copy of which has been placed in the library of the House. No recent amendment has been made in this Order but under clause 21 thereof its provisions are to some extent modified in their application to Security Prisoners detained in connexion with the Congress movement. A copy of the relevant Order dated the 5th September, 1942, was laid on the table on the 17th March, 1943.

(c) Each Provincial Government is empowered under sub-rule (5) of rule 26 of the Defence of India Rules to determine the conditions under which security prisoners shall be detained in that Province.

(d) The power to direct the release of a security prisoner lies with the authority directing that prisoner's arrest and detention. In the case of a security prisoner detained under the orders of the Provincial Government full discretion rests with that Provincial Government.

Sardar Sant Singh: May I know if the Government of India are informed when orders are passed under Rule 26 of the Defence of India Rules by the Provincial Governments?

The Honourable Sir Reginald Maxwell: No.

Mr. Lalchand Navalrai: May I know from the Honourable Member if the Provincial Governments keep the Central Government informed of the persons that are detained and those that are released?

The Honourable Sir Reginald Maxwell: No. We only receive certain information about the numbers detained. We do not get information about the persons or the reasons.

Mr. Govind V. Deshmukh: May I take it that general instructions are laid down by the Central Government for Provincial Governments regarding the release of the security prisoners or their treatment? If so, have this Government laid down that security prisoners or detenues, even if they are ill, should not be released till they are almost confined to their death bed?

The Honourable Sir Reginald Maxwell: The Government of India have issued no such instruction.

Mr. Abdur Rasheed Choudhury: With reference to the answer to part (b) of the question, may I know if any monthly allowance or amenities are allowed in the case of security prisoner, Maulana Husain Ahmad Madni?

The Honourable Sir Reginald Maxwell: No. Such people do not get allowances. They are allowed to receive remittances of funds sent to them from outside, but all their requirements are provided for in the place where they are detained.

Mr. Abdur Rasheed Choudhury: With reference to the answer to part (d) of the question, may I know whether the case of this security prisoner falls under the category of that in which the Provincial Government can order release?

The Honourable Sir Reginald Maxwell: Yes. I have already said that the Provincial Government have full discretion to release prisoners.

Pandit Lakshmi Kanta Maitra: Will the Honourable Member kindly inform the House if there have been fresh cases of detention under Rule 26 of the Defence of India Rules after it was declared *ultra vires* by the Federal Court?

The Honourable Sir Reginald Maxwell: I have no exact information, but probably there have been other cases of detention under Rule 26 subsequent to the amendment of the relevant clause of the Defence of India Act.

FOREIGN EVACUEES IN INDIA.

15. ***Mr. Govind V. Deshmukh:** Will the Honourable the Home Member please state:—

(a) the total number of evacuees in India, and the countries they came from;

(b) the expenditure at present incurred by Government on maintaining them; and

(c) if there is any agreement between this Government and the Government of the Country the evacuees came from, in respect of expenditure incurred in maintaining or looking after them; if so, what the nature of the agreement is?

The Honourable Sir Reginald Maxwell: (a) The Home Department are concerned with evacuees who are European British subjects or subjects of allied or neutral Foreign States. I lay on the table a statement giving the information in respect of these evacuees.

It is estimated that the total number of Indian and Asiatic evacuees in India is about five lakhs. It is not possible to give accurate figures according to the countries they came from, but nearly all of them came from Burma.

(b) The Honourable Member is referred to the answers given on the 16th September, 1942, to Pandit Lakshmi Kanta Maitra's questions Nos. 64 and 65. The scale of advances shown in the statement laid on the table on that date still continues to be in force in respect of those who are residing outside Evacuee Camps. I lay another statement on the table which gives the scales of financial assistance given to evacuees who have been accommodated in Evacuee Camps.

(c) Yes. The Governments concerned have agreed to reimburse to the Government of India the expenditure incurred from Indian revenues. Accordingly, the expenditure on European British subjects from all countries except Burma is debited to His Majesty's Government. In the case of European Burman and Anglo-Burman evacuees from Burma, the expenditure is debited

to the Government of Burma. The expenditure on Poles and on subjects of the Netherlands East Indies is already being recovered from time to time from the Polish Government and the Royal Netherlands Government. The expenditure on evacuees of other allied or neutral foreign states is recovered through the Consuls of the countries concerned.

The approximate number of European British subjects or subjects of allied and neutral foreign States who have been evacuated to India is given below :—

Number of evacuees from (a) Balkans	1,079
Number of evacuees from (b) Malaya	1,797
Number of evacuees from (c) Burma	2,632
Number of evacuees via (d) Turkey	602
Number of evacuees from (e) Port Blair	22
Number of evacuees from (f) S. Russia	8
Number of evacuees from (g) China	29
Number of evacuees from (h) Iraq	122
Number of evacuees from (i) Japan	27
Number of evacuees via (j) Ceylon	16
Number of evacuees via (k) Afghanistan	1
Number of evacuees from (l) Australia	3
Number of evacuees from (m) Poland	2,636
Number of evacuees from (n) Netherlands East Indies	15
Number of evacuees from (o) Countries not known	571
Total	9,560

Statement showing the monthly rates of advances paid to evacuees residing in the British Evacuee Camps at Coimbatore and Ootacamund.

Single adult	Rs. 65
Married couple	Rs. 120 per couple.
Dependants over 12 up to a total of 3	Rs. 45 each.
Dependants over 12 years over a total of 3	Rs. 35 each.
Children 6-11 years up to a total of 3	Rs. 28 each.
Children 6-11 years over a total of 3	Rs. 25 each.
Children under 5 years	Rs. 25 each.

NOTE.—Evacuees do their own marketing and cooking within these advances which are given for maintenance only. These are not intended to cover other charges, e.g., accommodation in the camp, light, water, supervision, medical treatment, education of children and transport. Taking all these charges into account, the monthly average cost of an evacuee in the camp, comes to Rs. 135 approximately.

Scale showing rates of maintenance allowance prescribed for Polish refugees residing in the Polish Refugee Camp at Kolhapur.

(i) Adults	Rs. 53-12-0 each.
(ii) Children of 12 years and over	Rs. 45 each.
(iii) Children from 6—11 years	Rs. 28 each.
(iv) Children under 6 years	Rs. 25 each.

The average monthly expenditure per child in the Polish Children's Camp at Balachedi in the Nawanagar State is approximately Rs. 60.

Pandit Lakshmi Kanta Maitra: With regard to Anglo-Burmans and Anglo-Indian evacuees from Burma, their expenses are debited to the Burma Government. Have the Burma Government got any source of revenue at the present moment?

The Honourable Sir Reginald Maxwell: I understand that they are being financed by His Majesty's Government.

Mr. Lalchand Navarai: If I understood the Honourable Member aright, the Central Government takes care of the European evacuees, and I presume the Provincial Governments do it in the case of the Indians. If so, why?

Dr. P. N. Banerjea: Racial discrimination!

The Honourable Sir Reginald Maxwell: Indians are looked after by the Honourable Member for the Indians Overseas Department.

Dr. P. N. Banerjea: But why?

Sir Cowasjee Jehangir: Will the Honourable Member make enquiries whether some of these evacuees are making a living in this country and still continuing to get this assistance?

The Honourable Sir Reginald Maxwell: Well, I have not enquired into the circumstances of each individual evacuee. Those who are not in the evacuee

camp may possibly have got other employment, but I have no information. If the Honourable Member will give me instances, I will go into them.

Sir Cowasjee Jehangir: Will the Honourable Member make enquiries with regard to a certain community that has come from other parts of the world to India who are making a very handsome living at the cost of this country and still drawing the allowances that the Honourable Member is good enough to give them?

The Honourable Sir Reginald Maxwell: That is rather a vague field for investigation. If the Honourable Member will be good enough to give specific instances, I will gladly go into them.

Sir Cowasjee Jehangir: The Honourable Member has only to refer to the Press and the complaints in the Press about a certain class of people who are in this country making an excellent living, and I am told, also drawing allowances from the Honourable Member's Department?

The Honourable Sir Reginald Maxwell: I am afraid that my study of the Press is not sufficiently detailed to enable me to understand to whom the Honourable Member is referring.

Dr. P. N. Banerjee: Double advantage!

RENT CONTROL DIRECTIONS ISSUED BY DISTRICT MAGISTRATES IN THE PUNJAB.

16. ***Sardar Sant Singh:** (a) Has the attention of the Honourable the Defence Member been drawn to the directions issued by the District Magistrates in the Punjab presumably under Rule 81(2)(b) of the Defence of India Rules controlling the rents and regulating the letting and subletting of accommodation residential or non-residential?

(b) Were the Government of India consulted in the matter?

The Honourable Malik Sir Feroz Khan Noon: (a) The Honourable Member probably refers to orders which have been issued by certain District Magistrates in the Punjab under rule 81 (2) (b) of the Defence of India Rules. If so, the answer is yes.

(b) No.

Sardar Sant Singh: May I know if under the Defence of India Rules, the powers delegated by the Central Government to the Provincial Governments can be delegated by the Provincial Government to the District Magistrates?

The Honourable Malik Sir Feroz Khan Noon: I presume that the action taken by the Provincial Government or their officers is in accordance with the law.

Sardar Sant Singh: It is not a question of presumption. Either it is in accordance with the law or it is not. May I know if the Honourable Member has consulted the Law Department, of which he has been so proud recently as to whether the power can be delegated to a District Magistrate?

The Honourable Malik Sir Feroz Khan Noon: May I ask if the Honourable Member himself has taken the trouble to study the rules and is he in a position to say that the action taken is illegal or against the law?

Mr. Govind V. Deshmukh: On a point of order? Can a member to whom a question is addressed ask a question of the member who is putting the question? Is that in order?

Mr. President (The Honourable Sir Abdur Rahim): That is not the ordinary way of answering questions.

Sardar Sant Singh: May I ask the Honourable Member, in view of the text of the order forwarded to him, whether he has consulted the Law Department if under rule 81 (2) (b), where the power is given to the Provincial Government alone, the Provincial Government can delegate such power to the District Magistrates. Is not that order illegal?

The Honourable Malik Sir Feroz Khan Noon: I presume that the order is in accordance with the law and the answers that I have given are in accordance with the opinion given to the Defence Department. I cannot add anything more.

CONSTITUTION AND THE WORKING OF THE INDIAN SOLDIERS' BOARD.

17. ***Mr. Govind V. Deshmukh:** Will the Honourable the Defence Member please state the constitution and working of the Indian Soldiers' Board with

special reference to the inquiry and disposal of applications for leave by Indian soldiers overseas?

The Honourable Malik Sir Feroz Khan Noon: The Indian Soldiers' Board as such is not concerned with the applications for leave. Applications for leave on compassionate grounds may be forwarded by the Commanding Officer of the Unit concerned to the Deputy Commissioner or Collector for verification when he considers it desirable. The Deputy Commissioner or Collector who is also the President of the local District Soldiers' Board where there is one may make enquiries through the District Soldiers' Board or employ his own revenue subordinates or pass on the case to the Civil Liaison Organisation whichever he considers most suitable.

The District Officer on receipt of the report makes a recommendation to the Commanding Officer concerned.

Mr. Govind V. Deshmukh: I am thankful to the Honourable Member for the information regarding the procedure about inquiry but I should like to have some information about the constitution of the Indian Soldiers' Board?

The Honourable Malik Sir Feroz Khan Noon: You have got a separate question on that, I believe.

Mr. Govind V. Deshmukh: I have no recollection whether I have sent a separate question.

The Honourable Malik Sir Feroz Khan Noon: If you will put down a question, I will answer it.

N. A. A. F. I. ORGANISATIONS.

18. ***Mr. Govind V. Deshmukh:** Will the Honourable the Defence Member please state:—

(a) if he is aware of the N. A. A. F. I. organizations; and

(b) whether it is possible to run canteen organisations on the same lines; if not, why not?

The Honourable Malik Sir Feroz Khan Noon: A statement is laid on the table of the House.

Statement.

(a) Yes.

(b) Being attracted by the N.A.A.F.I. idea like the Hon'ble questioner, in September, 1942, I requested the Director of Canteens to make a review of the existing Canteen systems and organizations with a view to their improvement wherever possible. Whereas the Canteen contractor system has worked and does work excellently in peace-time within India, it has proved unsuitable for service with the armed forces in the field. Consequently, so far as troops in war areas are concerned, we have already adopted the N.A.A.F.I. idea. So far as troops within India are concerned the Canteen contractors provide the most convenient and efficient method of serving the troops. This agency has been established for a long time and has tided us over a period of enormously increased activity remarkably well. The expansion in the service provided by the contractors to meet the increase in the number of troops within India calls for our appreciation.

2. In recent years the whole Canteen contractor system has been overhauled. The name of every Canteen contractor has to be registered with the Quartermaster General in India before a contract is given to him. All goods for Canteens are purchased through a central organization presided over by an officer, Sir John Abercrombie, who is appointed and paid by Government and who is a Government servant. The contractors have to pay to this organization, the prices fixed by Government. At the other end, the contractors have to charge from the troops fixed prices for all goods and under orders of Government they have to keep printed lists of all goods with their prices marked against each item in every canteen, so that every soldier who walks into a canteen can read in this list the prices fixed for all the goods sold in the Canteen. Consequently, the profits of the canteen contractors have been cut to the very minimum.

3. On account of the nature of the needs and the small financial resources of the Indian soldier it is seldom that he will find his way into a canteen. The counterpart of the canteen so far as he is concerned is the regimental bania's shop. Units who wish to deal with the Canteen Stores Department register their Banias with the Quartermaster General in India, after which they are entitled to purchase their requirements from the Canteen Stores Department. A very large proportion of Indian Units have so registered their Banias, thus enabling the Canteen Stores Department to purchase requirements in bulk with resultant cheapness to the Indian troops through the Regimental Bania. In operational areas, however, militarised canteens cater for and are patronised by Indian and British troops equally.

4. In my recent tours in various parts of the country I have heard nothing but praise for the Canteen contractors who have proved to be excellent servants of the soldier and who have on many occasions contributed liberally at the request of the regi-

mental officers towards the improvement of amenities for troops. Whether an organisation run by Government servants would serve the needs of the soldier as well as the present canteen contractors and their staff, must be doubtful. It must be remembered that it would take a long time to recruit the trained and organised staff necessary to replace the contractors. We also have certain obligations under the Memorandum of Association of Canteen Contractors *c.g.*, we have to disturb their business as little as possible and to give them a year's notice before winding up their business completely. I see no prospect of Government taking any such course during the present war so far as work inside India itself is concerned.

Mr. Govind V. Deshmukh: Does that statement disclose how this organisation is financed?

The Honourable Malik Sir Feroz Khan Noon: So far as I am aware, it pays for itself?

Mr. Govind V. Deshmukh: That may be. How was this institute started? Where did the capital come from?

The Honourable Malik Sir Feroz Khan Noon: The capital must have been provided by His Majesty's Government.

Mr. Govind V. Deshmukh: Why does not the Government of India provide capital on similar lines for the Indian Soldiers' Board?

The Honourable Malik Sir Feroz Khan Noon: In this statement, I have given you the system under which our canteens work. Our canteens are working under a system of canteen contractors who are members of a syndicate and all the material sold in these canteens is purchased on a co-operative basis through this syndicate. The syndicate is presided over by Sir John Abercrombie who is a Government servant and it is he and his committee who make the purchases. These things are sold to these contractors at fixed prices and these contractors are allowed to sell these goods in the regimental canteens also at fixed prices. Another thing to remember is that these canteens exist only in British regiments and not in Indian regiments. In the Indian regiments, the canteen is represented by the baniya's shop, because the Indian soldier's pay is low and he cannot afford to go to these canteens. The banyas are also authorised to buy from these canteens such material as they wish to sell to the soldiers at exactly the same prices as those charged in the British regiments.

Mr. Govind V. Deshmukh: I am again thankful for the information given. Why cannot this Government supply the funds and purchase the material and work, on a co-operative basis, these canteens. Where is the difficulty?

The Honourable Malik Sir Feroz Khan Noon: The Government are in a position to do these things but the only thing is when a thing like this can be done and whether it will be beneficial from the point of view of the Government or the soldier. I have given you the full facts in the statement. So far as this war is concerned, it is impossible to change over from the canteen contractor system to the Government system. I have seen many of these canteens working and my own impression is that these canteen contractors are rendering excellent service. They are practically the servants of the regiments. Whether the Government agency system worked by Government servants will be equally efficient as the present system is to be seen in the future but so far as the present war is concerned, it is impossible to change over from the canteen contractor system to a Government system or the N. A. A. F. I. system for the British troops.

Sir Cowasjee Jehangir: May I know whether the Honourable Member is aware of the great demand for these free canteens for Indian troops in the main centres of India? May I ask further whether the Honourable Member is aware that in one place where such a canteen works it has been proved that they are very necessary and fully availed of and greatly appreciated? If the answer to my question is in the affirmative, will the Honourable Member see to it that funds are provided all over India to establish such canteens for Indian soldiers? I am not talking of the European soldiers. I am only referring to Indian soldiers?

The Honourable Malik Sir Feroz Khan Noon: I should like to take this opportunity of paying my tribute to these organisations and the persons who are rendering . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member will only answer the question.

The Honourable Malik Sir Feroz Khan Noon: I say that a great deal is being done for the Indian soldier. Sir Cowasjee Jehangir knows, that, in Bombay voluntary organisations for Indian soldiers have provided free canteens in many places.

Sir Cowasjee Jehangir: Only in one place.

The Honourable Malik Sir Feroz Khan Noon: No, no. You are thinking of Bombay. I am talking of the whole of India, not of Bombay alone.

Sir Cowasjee Jehangir: Are there any other places?

The Honourable Malik Sir Feroz Khan Noon: Yes. Come to Lahore and I will show you one working at the Railway station. I agree that more canteens are needed for the Indian soldier. Whether we can introduce a system under which we can persuade the Government to pay for all these canteens is a question mainly of finance and nobody will be more pleased than myself to do it if we had the money.

Mr. Govind V. Deshmukh: Is the Honourable Member aware that the N. A. A. F. I. make a profit of more than 10 per cent.?

Mr. President (The Honourable Sir Abdur Rahim): Next question.

LEASE-LEND AID TO INDIA.

19. ***Mr. T. T. Krishnamachari** (on behalf of **Mr. K. C. Neogy**): Will the Honourable the Finance Member be pleased to state:—

(a) whether his attention has been drawn to various reports emanating from the United States of America in regard to the value of Lease-Lend aid given to India, particularly to a report of the United States Office for War Information wherein it is stated that Lease-Lend aid to India is valued over 295 million dollars;

(b) whether his attention has been drawn to a message dated Washington, March 12, 1943, wherein it is reported that the Lease-Lend Administrator, Mr. Edward Stettinus, mentioned that 595 million dollars of Lease-Lend aid had been extended to India upto 1st March, 1943;

(c) the nature and amount of Lease-Lend goods so far received in India;

(d) how much out of the above total has been for the benefit of China; and

(e) how much out of the above total has been debited to His Majesty's Government on account of such goods or aid as is being utilised on behalf of His Majesty's Government?

The Honourable Sir Jeremy Raisman: As I said in the course of my reply to the Finance Bill debate on the 17th March, 1943, we are engaged in the task of completing our records of lease-lend aid and reconciling them with those which the Indian Supply Mission in America have been asked to maintain. We are actively pursuing this and have made good progress. It will however be some time before the task is completed; and until this stage is reached it is not possible to quote any figure or to attempt to determine the respective share of India and His Majesty's Government. As soon as I am in a position to do so, I hope to give the necessary information to the House at a suitable opportunity.

Mr. Muhammad Nauman: May I know if under the arrangement any limit has been reached and that only up to that limit India will get these commodities under this lease-lend bill from United States of America?

The Honourable Sir Jeremy Raisman: As far as I am aware, no such limit has been fixed, but it is the case that appropriations are made from time to time by the United States authorities and presumably in building up these appropriations they make allocations or work out allocations to different countries.

Dr. Sir Zia Uddin Ahmad: Is the Honourable Member in a position to mention the aid which India has given under lease-lend arrangement?

The Honourable Sir Jeremy Raisman: I think there is another question in regard to reciprocal aid.

(b) WRITTEN ANSWERS.

PROCEDURE FOR ALLOCATION OF LEASE-LEND LIABILITIES BETWEEN THE BRITISH AND INDIAN GOVERNMENTS.

20. *Mr. K. O. Neogy: (a) Will the Honourable the Finance Member be pleased to refer to the statement made by him on the 17th March, 1948, in the Legislative Assembly while explaining the methods of allocation of Lease-Lend expenditure to His Majesty's Government and the Government of India, respectively and the difficulty in making an accurate appraisal thereof, as also to his statement that well-known *per capita* rates for the issues made to the American Forces could be adopted for giving the information concerning reciprocal Lease-Lend, and state (i) the exact procedure adopted in allocating the respective liabilities of His Majesty's Government and the Government of India in regard to Lease-Lend aid received in this country; and (ii) the exact amount of *per capita* rates adopted by the Government of India in assessing the cost of such services as rations, clothing and travelling expenditure of the Forces of the United States of America and the cost of repair jobs done for American transport in India?

(b) As regards the aforesaid *per capita* basis, is a similar procedure adopted in other countries, such as England, Australia, New Zealand, etc., giving reciprocal aid to the United States of America? If so, what is the *per capita* basis adopted in those countries for the purpose of calculating these items of expenditure?

(c) Is it a fact that in regard to the reverse Lease-Lend aid given by Australia to American Forces stationed in that country, the actual values of the services and the quantities of items of food, etc., consumed by the Forces of the United States of America are taken into account in assessing the reciprocal Lease-Lend aid given by Australia to the United States of America?

The Honourable Sir Jeremy Raisman: (a) (i) The problem in India is to allocate between His Majesty's Government and the Government of India the Lease-Lend stores arriving in India for their joint use. Had Lease-Lend not been in existence the one Government or the other would have had to pay for these stores, and the allocation of Lease-Lend stores arriving in India will follow the financial liability which would otherwise have arisen for providing the stores. The liability attaching to the receipt of Lease-Lend stores whatever it may be is of course assumed by the Government to which they are allocated in this way. Accordingly lease-lend aid to railways, posts and telegraphs, and other civil concerns—public and private—in India, is allocated to India. In the case of Lease-Lend supplies sent to India for defence purposes the allocation between the Government of India and His Majesty's Government is determined in accordance with the principles of the Financial Settlement and therefore depends upon the nature of the stores and the manner in which they are ultimately utilised. India is thus allocated Lease-Lend stores the cost of which if they had not been lease-lent, she would eventually under the Settlement have had to bear herself. Such defence stores consist mainly of tanks and M.T. vehicles of all kinds since His Majesty's Government have accepted complete liability for providing other non-indigenous stores and equipment required for India's expanded army and air forces. The problem of the best practical method of allocating Lease-Lend aid between India and His Majesty's Government is now being tackled, and I shall be happy to give the Honourable Member details of the procedure eventually adopted in this matter as soon as it has been worked out.

(ii) From an examination of the actual transactions involved it became apparent that the issues of rations, clothing, etc., to the U.S.A. forces in India under Reciprocal Aid arrangements were not sufficiently regular or uniform to enable their value to be assessed even approximately by the *capitation* rate method. It has accordingly been decided for the present to adopt a direct method of assessing the value of these supplies and services.

(b) and (c). The Government of India have no information on the subject but in view of the reply to part (a) (ii) the points do not arise.

INSTRUCTION TO SUGAR FACTORIES IN GORAKHPUR DISTRICT FOR CONTRIBUTION TO WAR LOAN.

21. *Mr. K. C. Neogy: (a) Will the Honourable the Finance Member be pleased to state whether the attention of the Government of India has been drawn to a complaint that Sugar Factories in the district of Gorakhpur (United Provinces) have been instructed by the local officials to contribute a sum of rupees one lakh each towards the War Loan or Bond as a part of the Special Defence Savings Drive in the United Provinces launched by His Excellency the Governor?

(b) Is it a fact that the said instruction is practically operating as a compulsion?

(c) If any such instance has been brought to the notice of the Government of India, what action has been or is proposed to be taken in the matter?

The Honourable Sir Jeremy Raisman: (a), (b) and (c). A representation on the subject was received and has been passed on to the Government of the United Provinces. The matter is one entirely within the competence of the Provincial Government.

DEARNESS ALLOWANCE TO CENTRAL GOVERNMENT SERVANTS ON THE PUNJAB SCALE

22. *Sardar Sant Singh: Will the Honourable the Finance Member be pleased to state if his attention has been drawn to the decision of the Punjab Government sanctioning Dearness Allowance of 20 per cent, to Government employees drawing salaries between Rs. 75 and Rs. 250 per mensem? If so, do Government of India propose to sanction a similar sum to the employees of the Central Government?

The Honourable Sir Jeremy Raisman: I have seen a statement in the press to the effect mentioned by the Honourable Member but I believe this matter is still under the consideration of the Punjab Government. In regard to the second part of the question, the Central Government has adopted an All-India Scheme of dearness allowance and does not automatically adhere to the scheme prescribed by any particular province.

DESIRABILITY OF CREATING AN INDIAN BRANCH IN THE WELFARE AND AMENITIES DIRECTORATE.

23. *Qasi Muhammad Ahmad Kazmi: (a) Will the Honourable the Defence Member please state if it is or it is not a fact that the Army Department has constituted the Directorate of Welfare and Amenities solely for the purpose of looking after the amenities of the troops and the provision of entertainment for their amusements?

(b) Is it or is it not a fact that the said Directorate is composed entirely of European Military Officers?

(c) Is it a fact that some of these officers do not understand and can not speak any vernacular language?

(d) Is it or is it not a fact that these officers of the Welfare and Amenities Directorate have naturally little or no taste and knowledge of Indian music, singing or dancing?

(e) Is it or is it not a fact that while half a dozen Concert Parties have been provided for British troops, the number of parties actually on tour for Indians is not more than two in existence? If not, what is the correct number of Indian parties with their names, and the places where they were constituted, and under what conditions, i.e., their composition and the qualifications of their actors?

(f) Is it or is it not a fact that the Concert Parties for British troops are composed of highly paid personnel of professionals in the art of music and dancing, while those for the Indian troops consist mainly of ordinary bazaar nautch girls and male singers with no talent chosen in a haphazard manner by the European staff? If not, who chooses the personnel of the Indian Concert Parties now in contract with the Military, and on what standard of qualification?

(g) Is any Indian Concert Party at present acting and touring with troops overseas? If so, what is the name of that Party, and its personnel?

(h) What is the number or proportion of Indian soldiers serving in India and overseas to the number of British troops serving under the Indian Command?

(i) What amount of money, separately, was spent by the General Headquarters on entertaining British and Indian troops during the year 1942 and the first four months of 1943?

(j) Have Government considered the advisability of creating and constituting a branch in the Directorate of Welfare and Amenities of an Indian section composed purely of Indians both from among the Indian military officers and civilians from outside?

The Honourable Malik Sir Feroz Khan Noon: A statement is laid on the table.

Statement.

(a) No. The Directorate of Welfare and Amenities in addition to looking after the amenities of the troops and the provision of entertainments is also responsible for their Welfare Education and for Family Welfare. It also holds a watching brief on all other matters affecting the Welfare of British and Indian troops in India.

(b) No. At Headquarters two officers deal with entertainments, one is British and the other Indian, and as both British and Indian troops have to be catered for, this seems a fair division.

(c) Does not arise, particularly as some of the staff are concerned with British troops only. The officers who deal with British troops may not know the vernacular language, but officers who come directly in touch with the Indian troops all do. For example, the section which deals with the Welfare Education of Indian troops contains 4 British officers of the Indian Army and 13 Indian officers of the Indian Army.

(d) All officers working under the Welfare and Amenities Directorate do not deal with dancing and singing only. As mentioned above, a great deal of the work concerns Welfare Education and Family Welfare of the troops, but those who deal with the entertainment side of the activities of this Directorate do possess a knowledge of Indian music, singing and dancing.

(e) No. There are three Concert Parties at present for British troops and four run by General Headquarters for Indian troops in India and an additional Party is being organised as from September. In addition to this, Southern Army run an Indian Concert Party, Eastern Army are arranging for two from 22nd August, and Central Command is organising 2-3. General Headquarters Concert Parties are engaged through impresarios—2 by Mr. Dziubinski and 2 by Mr. Haren Ghosh. None of the parties consists of less than 15 persons. In addition to the parties organised by General Headquarters, and by Armies a large number of lower formations and units have organised their own entertainment parties and General Headquarters is encouraging these activities in every way.

(f) No. British General Headquarters Concert Parties are composed of mixture of amateurs and professionals; Indian Concert Parties are all professionals, selected by the above mentioned impresarios, and are of a high standard.

(g) Yes. Two Indian Concert Parties are touring with troops overseas—one raised by Mr. Dziubinski and the second by the Punjab Co-operative Society. The latter is shortly returning to India and is being replaced by another Party raised by Mr. Dziubinski.

(h) It is regretted that this question cannot be answered for security reasons.

(i) Money spent for entertainment of British troops during the year 1942, and the first four months of 1943, was approximately Rs. 92,500 excluding travelling expenses. Expenditure on entertainment of Indian troops was approximately Rs. 1,79,000 excluding travelling expenses.

(j) Does not arise.

SCHEME FOR CREATING AN INDIAN BRANCH IN THE WELFARE AND AMENITIES DIRECTORATE.

24. *Qazi Muhammad Ahmad Kazmi: (a) Will the Honourable the Defence Member please state if it is or it is not a fact that a concrete scheme with full details to work out the same for creating the Indian branch of the Welfare and Amenities Directorate was submitted to the Director General, Welfare and Amenities, in February this year and it was highly appreciated and accepted by that Officer after careful consideration? Has that scheme yet been put into force? If not, why not?

(b) What military rank does the officer-in-charge of the Concert Parties for Indians occupy? Does this officer travel with the Entertainment Parties, and is this officer also in-charge of the Entertainment Parties for British troops? What are the qualifications of this officer in the technique of Indian music, singing and dancing?

(c) Is it or is it not a fact that the officer-in-charge of Concert Parties for the Indian section of the troops invariably occupies a rank senior to officers commanding the various units in a station, or the officers-in-charge of units and battalions?

(d) Is it or is it not a fact that this officer-in-charge of Entertainment Parties goes round after the singers have finished their songs to solicit credentials from the officers-in-charge of units and battalions to show good work of the Concert Party?

(e) Has or has not this practice been mainly adopted by way of creating evidence of the good work done by the present Directorate for the benefit of Indian sepoys?

(f) Are Government aware that the Indian section of the military is not at all satisfied with the existing arrangements for their entertainment?

(g) Is it proposed to lay the draft of the concrete scheme referred to in (a) above on the table together with all the papers of acceptance of the same and all the correspondence concerning the same?

The Honourable Malik Sir Feroz Khan Noon: A statement is laid on the table.

Statement.

(a) Government Departments are constantly receiving suggestions from members of the public with regard to many matters. The Director General of Welfare and Amenities is no exception. As the Honourable questioner has not given the name of the person who made the particular suggestion which he has in view, I am afraid, I am unable to answer this question. But he may rest assured that any scheme submitted by any person will always receive the very best consideration of the Director General, if any such schemes are not accepted, the only reason for such non-acceptance can be that on close examination, they were found to be unworkable or defective or unnecessary because of the existing practice being in consonance with the suggestions made.

(b) The Manager of Indian Concert Parties is appointed by the impresario engaged to raise the Party and has no military rank. He travels with his own Party and is not in charge of any Entertainment Party for British troops. His qualifications are judged by the impresario who raises the party.

(c) This is not understood. The Manager of an Indian Concert Party, as explained in (b) above, does not hold a commission and, therefore, is not senior to officers commanding units, etc.

(d) Government have no information but even if a man tried to find out what opinion others have of his work, such a course cannot be exceptionable.

(e) Does not arise in view of reply to (d).

(f) No. No report to this effect has been received.

(g) In view of the answer to question (a) above, does not arise.

DESIRABILITY OF CONSTRUCTING A MOSQUE IN THE INDIAN MILITARY ACADEMY, DEHRA DUN.

25. *Qazi Muhammad Ahmad Kasmi: (a) Will the War Secretary please state if it is or it is not a fact that when the construction of the Indian Military Academy at Dehra Dun was at first undertaken, a sum of about Rs. 10,000 was kept for a mosque and a similar amount for a worshipping place of other communities? If not, what are the facts?

(b) Is it or is it not a fact that no mosque exists at present in the Military Academy at Dehra Dun and the Muslims employed there feel considerable difficulty in offering prayers?

(c) In view of the considerable number of Muslims working in the said Academy, do Government propose to consider the advisability of meeting their religious needs by constructing a mosque there? If not, why not?

Mr. C. M. Trivedi: (a), (b) and (c). The information required is being obtained and will be laid on the table in due course.

HEALTH OF MR. RAFI AHMAD KIDWAI, A DETENU IN BAREILLY JAIL.

26. *Qazi Muhammad Ahmad Kasmi: (a) Will the Honourable the Home Member please state if it is or it is not a fact that Mr. Rafi Ahmad Kidwai, an Ex-Minister of the United Provinces, who is a detenu in the Bareilly Jail is having a slight temperature for the last eight or nine months and has lost more than 80 pounds in weight? If not, what is the fact?

(b) In view of the delicate health of Mr. Kidwai, do Government propose to consider the advisability of releasing him unconditionally or at least on parole for a proper treatment?

The Honourable Sir Reginald Maxwell: (a) I have no information.

(b) This is a matter for the Provincial Government.

COMPLAINTS OF DETENUS IN BAREILLY JAIL.

27. *Qazi Muhammad Ahmad Kazmi: (a) Will the Honourable the Home Member please state if it is or it is not a fact that one Sher Jang was arrested under the orders of the Government of India and is a detenu in the Bareilly Jail?

(b) Is it or is it not a fact that eight prisoners were repatriated from the Deoli Jail to the Bareilly Central Jail as detenus?

(c) Is it or is it not a fact that Sher Jang and these detenus are keeping very bad health and have lost from 10 to 20 pounds in weight?

(d) Is it or is it not a fact that these prisoners are not allowed to sleep in the open even in the hot summer days?

(e) Is it or is it not a fact that these detenus were allowed to write post cards to their homes in November, 1942 for winter clothing, but were not allowed to make a request for anything else, even for shoes and cotton clothing?

(f) Is it or is it not a fact that the detenus wrote the post cards that very day but the cards were posted on the 3rd January, 1943, and the clothing received was actually given to the detenus at the end of January, 1943?

(g) In view of the continuous complaints of the detenus, do Government propose to consider the advisability of making an enquiry into the complaints, and to give the necessary relief?

The Honourable Sir Reginald Maxwell: (a) Yes.

(b) No. 60 security prisoners were transferred from the Deoli Jail to the Bareilly Central Jail of whom six were Central Government prisoners and the remainder prisoners of the United Provinces Government.

(c) to (g). I have no information to the effect stated, but I have called for a report and a further statement will be laid on the table of the House in due course.

INDIAN OFFICERS FOR TRAINING IN ORDNANCE DEPOT AT KASU BEGU, FEROZPORE CANTONMENT.

28. *Sardar Sant Singh: (a) Will the War Secretary please state if he is aware—(i) that quite recently sixteen officers of the Indian Army were selected for training in the Ordnance Depot at Kasu Begu (Ferozporé Cantonment) under orders from higher authorities and half of these were to be Indians; (ii) that this order was whittled down by including a Jew and an Anglo-Indian; (iii) that all the officers were given theoretical training and put to a written test in which the Indians did better than the Europeans; (iv) that the officer commanding has reported that all the Indians are unfit for appointment in the Ordnance Branch, and that the Anglo-Indian only should be selected; and (v) that Indians are not given any opportunity for any independent practical work in the Advance Department?

(b) Does he propose to call for the result of the written test, and to see how the officers who acquit themselves better than Europeans are being declared unfit for this work?

(c) What does he propose to do to improve the conditions of service of Indians in the Advance Department of the Indian Army?

Mr. C. M. Trivedi: (a) (i) and (ii). Sixteen Indian Army Officers recently underwent a course of training at Kasu Begu Ordnance Depot. They formed part of a batch of 403 Infantry officers posted by the Military Secretary, General Headquarters, to the Indian Army Ordnance Corps. These officers were distributed for training amongst Ordnance establishments throughout India. Of the sixteen sent to Kasu Begu eight were British, six were Indian, one was a Jew and one an Anglo-Indian. No orders were issued that half of this party were to be Indian and half British, and no question as to differentiation between nationalities ever arose.

(iii) The training was both theoretical and practical and in the written test on theoretical training the first six were placed in the following order—

(1) British officer. (2) Indian officer. (3) Anglo-Indian officer. (4) Indian officer. (5) Indian officer. (6) British officer.

In the practical training tests however the British officers did better than the Indian candidates.

(iv) No, Sir. Of the 16 officers under training, seven British, two Indian and one Anglo-Indian were reported on as fit for retention. The remainder were recommended for return to their infantry units.

(v) Indian Officers are given the same opportunities as British Officers for practical work in the Ordnance Department.

(b) No, Sir. The written tests comprise only one method by which an officer's capabilities can be assessed. An officer's personality, powers of leadership and command and administrative ability can only be assessed by observations over a period by experienced instructors. The Chief Ordnance Officer, who is responsible for the training, is the best judge of an officer's suitability for posting in the Indian Army Ordnance Corps.

(c) Indian Commissioned Officers of the Indian Army Ordnance Corps receive the same rates of pay as those in other branches of the Services. In addition they draw Indian rates of Corps pay. For the purpose of promotion, they are treated in exactly the same way as other officers of the Indian Army Ordnance Corps.

MAXIMUM PERIOD OF STAY OF EUROPEAN AND INDIAN MILITARY OFFICERS AT GENERAL HEADQUARTERS.

29. *Sardar Sant Singh: (a) Will the War Secretary please state the maximum period of stay of a European Military officer at the General Headquarters as against an Indian, and what the reasons are for disparity, if any?

(b) What does he propose to do in the matter?

Mr. C. M. Trivedi: (a) and (b). Although in peace time the normal maximum period was four years, in war time there is no prescribed maximum period of stay for an officer at General Headquarters. Officers, whether British or Indian, are transferred to and from General Headquarters as the exigencies of the service demand.

I have examined the figures of officers who left General Headquarters within the last six months, and I find that the maximum stay of a British officer was one year, 11 months and 25 days, while the maximum stay of an Indian officer was one year, six months and six days. I can assure the Honourable Member that there is no disparity in treatment between British and Indian officers in this matter.

RETIRED EUROPEAN AND INDIAN I. C. S. OFFICERS RE-EMPLOYED BY GOVERNMENT OF INDIA.

30. *Sardar Sant Singh: Will the Honourable the Home Member please state the number of European and Indian I. C. S., retired officers re-employed by the Government of India, and the salary as well as the pension drawn by each of them?

The Honourable Sir Reginald Maxwell: The information asked for is being collected and will be laid on the table of the House.

GIVING OF EUROPEAN SECRETARIES TO INDIAN MEMBERS OF THE EXECUTIVE COUNCIL.

31. *Sardar Sant Singh: Will the Honourable the Home Member please state the reasons and circumstances under which each of the Indian Member of the Executive Council of His Excellency the Viceroy has been given a European Secretary, and how long this policy is likely to be continued?

The Honourable Sir Reginald Maxwell: The facts are lot as stated in the first part of the question. The second part does not arise.

LEASE-LEND AID AND LOANS FROM THE UNITED STATES OF AMERICA.

32. *Mr. Abdur Rasheed Choudhury: Will the Honourable the Finance Member please state: (a) the total amount of money borrowed up-to-date from

the United States of America (i) with security (ii) without security; and if the money so borrowed was with security, the nature of the security offered or given; and

(b) the total value of goods procured up-to-date from the United States of America under the Lease and Lend System, and the security offered for repayment, if any?

The Honourable Sir Jeremy Raisman: (a) Nil.

(b) I have already dealt with this question in my reply to Mr. Neogy's starred question No. 19.

†35.*

STATEMENTS LAID ON THE TABLE.

Information promised in reply to parts (a) and (b) of starred question No. 34, asked by Khan Bahadur Shaikh Fazl-i-Haq Piracha on the 11th February, 1943.

EXPENDITURE BY PORT HAJ COMMITTEES ON FACILITIES FOR PILGRIMS.

(a) The following amounts were spent by the Port Haj Committees for the provision of facilities and amenities during the years 1934-35 to 1939-40 :—

Year.	Port Haj Committee, Bombay.			Port Haj Committee, Karachi.			Port Haj Committee, Calcutta.		
	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
1934-35	11,221	6	3	1,499	0	0	32	0	0
1935-36	5,727	3	0	2,027	0	0	715	2	0
1936-37	6,211	2	3	4,304	0	0	742	6	3
1937-38	6,671	4	9	2,618	0	0	536	10	0
1938-39	7,209	5	0	2,756	0	0	519	9	9
1939-40	6,154	4	0	10,165	0	0	1,239	3	9

NOTE 1.—The cost of establishment of the Port Haj Committees which assist Haj pilgrims, is not included in the above figures.

NOTE 2.—The expenditure incurred from Central Revenues on the vaccination and inoculation of pilgrims and the Police employed at the ports of Bombay, Karachi and Calcutta is not included in these figures.

NOTE 3.—The figures shown in Table (vi) on page 127 of the Special Hajj Inquiry Report do not represent the net income of the Port Haj Committees as 1/3rd of the pilgrim-pass fee received from Indian pilgrims was paid to the Provincial Haj Committees concerned.

(b) The facilities other than those detailed in Part II of the 'Manual of Instructions for Pilgrims to the Hejaz' (1938 Edition), are as follows :—

Bombay.—Repatriation of poor and destitute pilgrims from Bombay to their respective homes.

Karachi.—Hire of kanats, tents, etc., for pitching them in the compound of Pilgrim Camp.

Construction of compound wall of the Pilgrim Camp.

Calcutta.—Repatriation of poor and destitute pilgrims from Calcutta to their respective homes.

†This question has been postponed to be answered on the 29th July, 1943

Information promised in reply to part (e) of the unstarred question No. 11 asked by Mr. K. C. Neogy, on the 11th February 1943.

EXPORTS, IMPORTS, ETC., OF FOODGRAINS.

Average price per maund of 82 2/7 lbs. paid by Government for their purchases during the 12 months of 1942.

All figures in Rs. as. ps.

Grain.	January.	February.	March	April.	May.	June.	July.	August.	September.	October.	Nov.	Dec.
Wheat	4 10 0	4 10 0	4 8 9	4 13 0	4 10 3	4 14 6	5 2 6	5 3 3	5 4 0	5 5 3	5 12 0	5 13 3
Rice	7 10 3	7 10 0	8 15 6	No purchase.	8 3 3	8 12 3	9 6 6	10 1 3	9 10 0	9 8 9	7 11 3	10 9 3
Bejra*	..	..	..	..	..	..	..	..	..	..	..	..
Jawar*	..	..	..	..	..	..	..	..	..	..	..	..

*No purchases made during 1942.

Statement showing the actual prices of wheat in principal markets for the 12 months of 1942.

All figures in Rs. as. ps. per md. of 82 2/7 lbs.

Name of markets.	January.	February.	March.	April.	May	June.	July.	August.	September.	October.	Nov.	Dec.
<i>Punjab Province.</i>												
1. Lyallpur*	4 8 0	4 8 0	4 8 0	5 0 0	4 11 6	5 0 0	5 0 0	5 0 0	5 0 0	5 0 0	5 0 0	5 0 0
2. Okara	4 6 0	4 6 0	4 6 0	4 14 0	4 10 3	5 0 0	5 0 0	5 0 0	5 0 0	5 0 0	5 0 0	5 0 0
3. Amritsar	4 13 0	4 13 0	6 8 0	5 4 0	5 4 0	5 6 0	5 12 0	5 11 0	5 10 0	5 12 0	6 8 0	5 10 0
<i>U. P.</i>												
4. Hapur	4 6 0	4 6 0	4 6 0	4 15 6	4 14 9	5 0 0	5 0 0	5 0 0	5 0 0	5 0 0	5 0 0	5 14 9

Rice.

During the period rice prices were not controlled. Government purchases were made at the prevailing market rates. A statement showing the ruling rates of rice is placed on the table.

*Wheat prices at Lyallpur were controlled from the 10th December 1942.

Statement showing the wholesale market prices of Rice (Balam No. 1) prevailing at Calcutta during the end of each of the following months.

(Prices per maund of 82 2/7 lbs.)

	Rs. A. P.		Rs. A. P.
January 1942	6 4 0	July 1942	8 0 0
February 1942	6 2 0	August 1942	9 4 0
March 1942	6 0 0	September 1942	9 14 0
April 1942	6 2 0	October 1942	9 14 0
May 1942	6 8 0	November 1942	9 4 0
June 1942	8 0 0	December 1942	12 8 0

Information promised in reply to parts (a) and (c) of starred question No. 80, asked by Mr. Ananga Mohan Dam on the 15th February, 1943.

PREFERENCE TO ANGLO INDIANS, EUROPEANS AND FOREIGN REFUGEES IN
ORDNANCE FACTORIES.

(a) 3191 out of which 988 are Europeans and Anglo-Indians.

(c) One Czechoslovakian and one Yugoslavian were recruited for work in Railway Workshops.

Information promised in reply to unstarred question No. 25, asked by Mr. N. M. Joshi, on the 18th February, 1943.

GRIEVANCES OF TRAINED CANDIDATES OF GREAT INDIAN PENINSULA RAILWAY.

(a) Trained candidates were started in service as untrained candidates on Rs. 25 p. m. and after about 9 months training were promoted as trained candidates on a fixed pay of Rs. 30 p. m. provided they had passed the prescribed examination. When vacancies occurred in the station staff cadre they were promoted and came on to the time scale of pay of Rs. 30—4—50.

(b) No. Between 1930 and 1938 the trained candidates were, on an average, held up on Rs. 30 p. m. for from 3 to 5 years but subsequently this period has become less consequent on the creation of more posts on the time scale to cope with increased traffic.

(c) and (e) Yes.

(d) Government are informed that one representation from the Union was considered in 1935.

(f) No, it is not normal policy to give retrospective effect to such sanctions.

(g) Yes.

(h) The Hon'ble Member is referred to the reply to part (f) above.

Information promised in reply to part (b) of the starred question No. 187, asked by Sir Abdul Halim Ghusnavi, on the 24th February, 1943.

UNITED KINGDOM COMMERCIAL CORPORATION.

Telephone : 7623.

Telegram : "Unicomind".

FEDERATION OF INDIAN CHAMBERS OF COMMERCE AND INDUSTRY.

Ref. No. F-2218/589.

28, Ferozshah Road,

New Delhi, 25th September, 1943.

To

The Secretary to the Government of India,

Department of Commerce, New Delhi.

SUBJECT :—Activities of the U. K. Commercial Corporation.

Sir,

The Committee of the Federation of Indian Chambers of Commerce and Industry have carefully considered the Press Note, dated 30th July 1942, issued by the Government of India, on the activities of the United Kingdom Commercial Corporation in India. They welcome this explanation about the various aspects of the U.K.C.C. but, while giving due weight to the various considerations mentioned therein, they regret they do not feel that the Press Note is reassuring in regard to the important issues in connection with this Corporation which have been raised by this Federation and other Indian Commercial bodies. They would, therefore, like to examine the Press Note and submit their views to the Government.

2. The Corporation, as the Government acknowledge, is an organisation financed and controlled by His Majesty's Government. This fact alone makes it more influential and powerful and places it in a position of greater advantage in the matter of its purchases and sales. The Committee cannot still see the propriety of permitting an organisation of this character to introduce in the foreign trade of India, exercise ordinary trade functions in this country and operate in competition with Indian commercial interests under conditions which definitely give it a specially favoured position. The Committee cannot help feeling that

this commercial organisation has been imposed upon India by the British Government and it is apparent from the Press Note that the various Departments of the Government concerned, such as Commerce, Supply and Transport, consider it their duty to provide whatever facilities the Corporation demands. The Committee are not aware whether any such similar organisation is functioning in any of the Dominions like South Africa, Australia or Canada, and fail to understand why such an expert organisation to assist and encourage trade and exports is reserved for the particular benefit of this country. It might be added in passing that the Chairman of the U.K.C.C., Lord Swinton, is the Governor of West Africa, which indicates the political and economic importance and the widespread ramifications of this organisation. There is no doubt that the U.K.C.C. does enjoy in several respects a monopolistic position in the matter of India's exports. This is all the more surprising in view of the fact that owing to occupation of several countries by the enemy and the difficulties of sea transport, India is in a particularly advantageous position for supplying various materials, raw and manufactured, especially to the countries in the Middle East. It is these countries, therefore, which should be anxious to obtain supplies from India and India need hardly be anxious to invoke the aid of the U.K.C.C. to provide supplies of these articles, even as in the case of food grains, at the cost of depletion of her own stocks.

3. The Committee are not impressed by the contention of the Government that the privilege enjoyed by the U.K.C.C. is in respect of trading in commodities of essential war-importance. At the present time, most of the trade is for one reason or another in materials connected with the war; restrictions in respect of priorities and shipping have reduced civilian trade strictly so called, to a comparative insignificance. Moreover, if the fundamental object for setting up such an organisation is to handle commodities of military importance which cannot be done by private trading interests, it should strictly concern itself with articles like arms, munitions, railway materials, machinery, etc., which cannot be carried through normal commercial channels; the Corporation should not deal with articles in which Indian commercial interests have traded for years and even after the outbreak of this war such as piecegoods, yarn, jute, jute manufactures, sugar, wheat, shellac, tea, oil and oil-seeds, rice and other raw materials and manufactured goods. If an outside body, which was originally and avowedly established for advancing British exports and sale of British manufactures in the Balkans is permitted to intervene in the trading of these commodities and purchase and sell them, then it is a clear infringement of freedom of trade and interference with its normal channels. The position becomes still more objectionable from the Indian view-point when it is remembered that this Corporation utilises all Government, semi-Government and transport agencies for its own transactions and carriage while this privilege is denied to Indian shippers and traders in their own country.

4. The Press Note states that the Corporation handles operations which cannot be performed adequately by normal Commercial enterprise or which lie beyond the scope of private trading concerns. The fact is that so far as sales to Russia, for example, are concerned, certain transactions were actually effected directly with the Soviet Government by Indian merchants, without the intervention of the U. K. C. C., and payments were made at the time of shipment by the Reserve Bank of India on behalf of the Russian Government. As regards Iran also, shipments of sugar were made to that country from India by Indian shippers and irrevocable Letters of Credit were opened by the Iran Government in favour of certain Indian firms. But Indian exporters were subsequently reluctant to enter into fresh business because of the Government grant of monopoly of exports of sugar to Iran to the U. K. C. C., through their Notification of 18th April 1942. Similarly, merchants also used to send hides to Iran to its tanneries though they are not permitted to do so now. Some tyres and tubes also went through India to Iran after the outbreak of the war, and gunnies, which were largely bought, were also stopped. Although till now, tea is being exported by private traders to Iran, there are persistent reports in Calcutta market that the trade in this commodity will also be handed over by the Government to the U. K. C. C. The Committee cannot accept the contention that because war communications with Russia, Iran and other countries in the Mid East have become difficult, it is necessary to hand over the transactions, in connection with supplies to these countries, to an outside body like the U. K. C. C. There are also established traders who did business with Saudi Arabia in rice and other food-stuffs from Calcutta, Burma and Bombay, although, as the Press Note itself admits, the Corporation effected shipments of rice to Saudi Arabia on two occasions at the request of the Saudi Arabian Government as also of Burma rice to Ceylon on behalf of a London owner. The Committee would point out that the very fact that the Saudi Arabian Government made this request to the Corporation or that the London owner delegated this work to the Corporation is due to the influence wielded by this body and is an illustration of its privilege. Similarly, the Government themselves acknowledge the error that was made in regard to shipments of oil and oil-seeds, which shows not only how this Corporation functions in a manner so as to ignore even the Government of India and acts directly under the orders of His Majesty's Government but also provides another instance of the manner in which the Corporation has introduced in normal channels of trade. In the face of all these facts, it passes the Committees' comprehension as to how it can be reasonably argued either that the merchants themselves are not prepared to take the risks of trading in the present abnormal times or that the Corporation has not, in fact, tended to supplant established shippers and divert normal channels of trade.

5. The Press Note had contradicted the example given about the sale of sugar in Persia at an exorbitant price in order to disprove the contention that the Corporation is

making undue profits and has stated that it retains 'no more than a reasonable margin to cover expenses and payment for services'. The Committee would like to know whether the Government of India themselves are aware of the prices at which the U. K. C. C. makes its purchases in India or sells in the markets supplied by it, and whether they have taken any measure to see that the margin pocketed by the Corporation out of this difference does not amount to undue profits. The Committee would like to know, for example, in the specific case of sugar, as to whether the Corporation purchases sugar in India at the controlled rate of Rs. 12-3-6 per maund, and what is the exact price at which such sugar is actually sold by the Corporation itself in Iran. It is of little avail to argue that 'the high prices at which sugar is reported to be sold in Persia are the resultant of a number of local factors', unless the Government of India give definite information as to the price charged by the Corporation, and are prepared to assure the public that they have control over the prices at which the Corporation sells these articles purchased in India in markets abroad. Incidentally, it might be observed that the benefits of the Corporation's earnings are not derived by the Indian Exchequer, so that India is not a gainer in that respect. The Government are at pains to make out in the Press Note that the Corporation makes its purchases from exporters in the line, but it should not be overlooked that the percentage reserved by the Corporation for itself could very well have been appropriated by the buying countries if it had not intervened. The attention of the Committee has also been drawn to the fact that in making its purchases, the U. K. C. C. demands unpriced invoices from the seller and it is presumed from this that the Corporation would fill the prices at its discretion, thereby not disclosing the rate at which it has really obtained the goods. The Corporation is a commercial organisation and the public in India, where it functions, is surely entitled to know in what manner it operates so far as its prices and profits are concerned. If the Government of India are unable to throw any light on the subject, it is incumbent on them to address His Majesty's Government on the subject and make a public statement in consultation with them.

6. The Committee would now briefly refer to some of the specific commodities referred to in the Press Note. As regards wheat, for example, the Press Note states that 'responsibility for arrangements for requisition and supply was centralised, at the request of the Ministry of Food, in the U. K. C. C., which was specially equipped to perform that task', and that 'there had been no previous exports of wheat from this country to Persia and consequently no organised machinery to deal with such exports'. Apart from the question of effect of such wheat exports to other countries on the stocks of foodstuffs in the country, which would naturally not be the concern of a body like the U. K. C. C., it is pertinent to enquire whether if India's wheat trade had no such experience despite the large exports handled in the past by Indian shippers and merchants, what were the special expert knowledge and experience which this Corporation, established only a couple of years ago, had to handle this trade. In regard to sugar again, it seems as though the Government have gone out of their way in order to divert the mode of transport and interfere with normal channels of trade in order to hand over this trade to the U. K. C. C. When the Indian sugar industry was already exporting sugar to Iran by land, through normal trade channels, it is difficult to understand the necessity of permitting exports to Iran by sea through a foreign agency particularly when there is a serious dearth of shipping tonnage and when the overland route could have been encouraged instead of being closed down. A position was thereby created wherein exports by sea by the U. K. C. C. were considered to be normal while the hitherto normal exports by land by Indian exporters were found 'to interfere with the arrangements for the distribution of sugar' and were consequently sought to be limited on the plea of growing shortage of sugar in India. The net result has been the substitution of Indian exporters by the U. K. C. C. and the Indian Sugar Mills Association were informed by the Government that 'no fresh licences will be issued for export to Persia except to the U. K. C. C.' It is only a technical question as to whether the stocks are directly made available to the U. K. C. C. or through the Ministry of Food. Besides, this Federation has urged in the past that the Ministry of Food should make its purchases in India through the Government of India and that could easily have been arranged in respect of sugar exports instead of delegating this work to the U. K. C. C. The Committee have already dealt above with certain other commodities. They cannot, therefore, help observing that the position attained by this organisation is not different from that of a monopoly when 'business houses interested in the trade from this country to Near Eastern countries cannot get licences for export of commodities and when the privileges and facilities enjoyed by the Corporation are such as no individual trader or business house can expect from the Government of India. The attention of the Federation has, for example, been drawn by some of its Member-Bodies to the effect that the Corporation is obtaining priorities and special facilities in respect of railway bookings, while it need hardly be pointed out that so far as shipping is concerned, the British Ministry of War Transport would provide all requisite facilities to this Corporation functioning on behalf of the British Government. The Committee might further point out in this connection that arrangements have also been arrived at a couple of months ago by the U. K. C. C. with the Turkish Government whereby Turkey's trade with the British Empire would be maintained through the medium of the U. K. C. C. The Agreements between this Corporation and the Turkish Government were significant for India since all trade between this country and Turkey

would in course of time be handled by this Corporation and it seems doubtful whether in that case the existing exporters to Turkey would be allowed to carry on their usual trade with that country which has been steadily growing in recent years. It should be pointed out in this connection that it is not merely a question, important though it is, of earnings and profits. Because the U. K. C. C. operates on its own, it appoints its own agents and representatives abroad and thereby deprives Indian merchants, exporters and shippers of the opportunity of establishing direct contacts with commercial interests and markets outside India which would be of no small benefit to Indian commerce in the years after the war.

7. As regards the use which the Corporation has made of the Supply Department for making its purchases, as explained in the Press Note, it is well-known that the Supply Department makes its purchases at certain controlled rates. If this Corporation is, therefore, allowed this price advantage, it is hardly fair to the Indian commercial and industrial interests. It is true that the Press Note states that where such purchases are for the purposes of ordinary civil trade, however valuable that trade may indirectly be in the military sense, the Corporation is not granted any price advantage not available to commercial houses in India, but it is not clear as to why the Supply Department undertakes these purchases on behalf of the Corporation and as to what is the procedure which is being followed in regard to other purchases which do not come within this category. It has been stated in the Press Note that these special advantages are given by the Supply Department because it secures the avoidance of competitive buying which would react adversely on the prospects of the Supply Department obtaining their own requirements in the requisite quantities or at satisfactory prices. If, however, this implies that the activities of the U.K.C.C. constitute competitive buying and may have adverse reactions, it does tend to support the contention that the Government of India should not permit such activities.

8. The Committee feel that if the Government are anxious that operations which cannot be adequately performed by ordinary commercial interests or which lie beyond the scope of private trading concerns should be carried out by an independent body, there is nothing to prevent them from setting up an Indian agency for the purpose of handling such export trade. No national government responsible to the people would have agreed, at the dictation of His Majesty's Government to provide all assistance in the shape of priorities, facilities and price advantage to an outside agency and permit it to operate in its markets and capture its export trade to the detriment of its own merchants and exporters. The Committee have particularly to emphasise in this connection the adverse repercussions which such an organisation is likely to have in the post-war period on India's trade. They regret that Government are completely silent in their Press Note as regards the suggestion put forward to them by Indian commercial bodies regarding the establishment of an Indian agency or organisation to carry on the work performed by the U.K.C.C. as also regarding the post-war effects of such an organisation. The Committee cannot accept the view which is sometimes urged that this Corporation is a measure of war exigency. In the first place, they would like to enquire whether the Government of India have got any assurance or guarantee from His Majesty's Government that this organisation will not be permitted to continue its operations and be dissolved at the end of the war. It should be stressed in this connection that the United States of America have also got a similar organisation called the 'Defence Supply Corporation' which handles export trade with America and is already exercising control in respect of several commodities exported from India, such as shellac, gunnies, etc. Moreover, before this war, foreign trade was already becoming a branch of foreign diplomacy in Europe and America. The keen and intense rivalry between England and Germany, for example, in the Balkan States and the whole of Eastern Europe, as well as between these countries and the United States in South America and other countries for capturing the markets showed that the question of foreign trade was becoming a political issue. The Board of Trade had devised various methods of pushing British export trade and the British Treasury was subsidising these exports and different organisations like the Export Credit Corporation were set up to further this object. The importance of maintaining exports for a country like Britain in the years after the war will be vital particularly because of the heavy financial indebtedness of the United Kingdom to the U. S. A. and the need to maintain adequate imports and prevent the sterling from unduly depreciating. It is, therefore, evident that the British Government will adopt all possible measures to develop Britain's export trade and will make such agencies as the U.K.C.C. a permanent and integral feature of their national economy. In fact, such organisations have been described as pillars of British prosperity and would be consolidated and expanded in the years after the war. The Committee would, therefore, like to impress on the Government of India the imperative necessity of their representing this important aspect of the matter to His Majesty's Government, and to obtain complete assurances to the effect that this organisation will neither be permitted to interfere in India's trade nor should it be allowed to take advantage of its present position to stabilise itself in order to serve the interests of British exporters and manufacturers. The Committee consider that this is the fundamental reason why the Government should conduct their operations in regard to India's exports through an Indian agency.

9. The Committee trust that the Government of India will give their careful consideration to the points of view submitted by them.

I have the honour to be,
Sir,
Your most obedient servant,
(Sd.) Illegible,
Secretary.

Ref. No. F. 2219/589.

Copy forwarded, with compliments, to the Member Bodies and Members of the Committee, for information.

(Sd.) Illegible,
Secretary.

NEW DELHI;
The 25th September 1942.

No. 64-C.W.(24)/41.
GOVERNMENT OF INDIA.
DEPARTMENT OF COMMERCE.
New Delhi, the 28th May 1943.

From

S. N. RAY, Esquire, I.C.S.,
Joint Secretary to the Government of India,

To

The Secretary,
Federation of Indian Chamber of Commerce and Industry,
28, Ferozshah Road, New Delhi.

SIR,

I am directed to invite a reference to your letter No. F. 2218/589, dated the 25th September 1942, on the subject of the activities of the United Kingdom Commercial Corporation in India, and to express regret for the delay in sending a reply.

2. The Government of India are aware that the Indian commercial community view with considerable misgivings the entry of an organisation having the financial backing of His Majesty's Government. The Government of India realise that there exists an impression in Indian business circles that the Corporation's ultimate goal is the establishment of ascendancy over India's export trade with neighbouring countries and that that the Corporation enjoys certain privileges and concessions in regards to civil trade which are denied to private exporters. This basic misconception regarding the Corporation's functions and activities would not have arisen if it had been more generally known that the Corporation's present activities in India consist, as to some 90 per cent., of inter-Governmental supplies for Russia which are not dealt with on a profit making basis at all and could otherwise be effected only through the Supply Department of the Government of India. The Corporation's share in India's export trade with other countries has been insignificant and has consisted, for the most part, of minor shipments for which His Majesty's Government have had to assume responsibility for special reasons and to some extent, of such items as jute goods needed to pack their own purchases in Turkey and other Middle East countries. How small these exports have been may be judged from the following figures:

Country to which exported.	Percentage of the total exports from India during the period April 1942 to February 1943, representing proportion of export made by the Corporation as principal during the same period.
Arabia	3.2
Egypt.	2.1
Palestine and Syria	1.3
Iraq	0.03
Persia	5.9
Aden	0.1
Sudan.	0.4
Turky	3.3
Other Middle East countries.	Negligible (total value about Rs. 2.6 lakhs).

The figures given above show that the Corporation have not hitherto made any appreciable incursions into the ordinary civil trade, while as regards the future, it may be assumed that no extension of the Corporation's activities will take place without the Government of India being fully consulted in the matter.

3. In the light of the information given in the preceding paragraph, it will be realised that much of your apprehensions are without foundation. The Corporation has mostly confined itself to arranging and handling supplies against certain inter-Governmental transactions and there are no reasons to suppose that its activities are likely to result in permanent control by United Kingdom interests of India's trade with the Middle East countries. The Government of India's attention has in this connection been drawn

to a statement made by the Minister of Economic Warfare in the House of Commons to the effect that he was not prepared to give any assurance that the activities of the Corporation will be terminated after the end of the war. It is understood that His Majesty's Government feel that any such undertaking would preclude the use of the Corporation's machinery for any purpose in the unpredictable and difficult conditions which may exist in the period following the war. The agency of the Corporation might be found useful, for example, to meet the exigencies of recovery and reconstruction in the territories now under enemy occupation but in so far as Indian interests are concerned, it may be assumed that the Government of India will always be ready to take up with His Majesty's Government the question of any interference with private trade by the Corporation.

4. In view of the foregoing statement of the position it is perhaps unnecessary to stress the point that no special significance need be attached to the Corporation's handling of certain specific consignments of rice, yarn and wheat in 1941-42, although this is referred to in the letter under reply as illustrations of the Corporation's interference with Indian trade. The exact circumstances in which the handling of these particular consignments was entrusted to the Corporation were fully explained in the Press Note issued in July 1942.

5. The functions undertaken by the Corporation in certain Middle East countries and the establishment of subsidiaries in those areas have naturally attracted some attention in India, but it is not correct to say that the Corporation enjoys any monopoly of trade in those areas. The Corporation's activities are subsidiary to the functions and policy of the Middle East Supply Centre which concerns itself, in consultation with the Governments of the respective territories, with the framing of import programmes for the essential civil requirements of those areas. The Centre is compelled by shipping considerations and by the economic necessities of the countries in question to limit imports to bare essentials, to programme ahead, to take steps to secure equitable distribution and to make the area self-supporting to the greatest possible degree. That these arrangements hardly displace commercial channels in so far as exports from India are concerned will be evident from the figures given in paragraph 2 but it is necessary to explain some points in further detail. For example, the Middle East countries are mostly self-sufficient in regard to oilseeds, but to the extent to which Aden has been compelled to draw some supplies from India, it has been arranged that orders should be placed through normal commercial channels. Again, with reference to the alleged agreement between the United Kingdom Commercial Corporation and the Turkish Government whereby Turkey's trade with the British Empire would be maintained through the medium of the Corporation, the position is that the Turkish Government have found it convenient, for reasons of their own, to arrange some supplies through the Corporation from sources other than India, but in so far as Commercial shipments from India are concerned, the Corporation do not exercise any control and have openly expressed themselves, as not interested in assuming any responsibility for the sponsoring of such shipments. Similarly in regard to exports of tea from India under the block purchase scheme, the reports in the Calcutta market that the trade in this commodity would be handed over to the United Kingdom Commercial Corporation have proved to be groundless. The arrangements are that the Tea Controller for India purchases the exportable surplus of Indian tea on behalf of His Majesty's Government, and arranges distribution to the various consuming countries. He utilises the services of a panel of established exporters in this country in selecting and allocating the teas required for the different markets, and the United Kingdom Commercial Corporation do not enter into the picture. On the importing side, the Governments of the countries themselves act as sole buyers in most cases, while in others it is understood that steps have been taken to utilise the services of normal importers.

6. Particular reference has been made to the part played by the Corporation in handling exports of certain goods from India to Persia. The facts have already been explained in the Press Note issued in July 1942. Since then, the supply of hides to the Persian factories engaged on war work has had to be suspended owing to the necessity for conserving stocks in India. Lorry tyres and tubes are supplied through the Corporation specifically for use in the special war transport services in Persia while in regard to sugar the proposal to send some small supplies for distribution in East Persia through the Corporation has not yet materialised. It is necessary to repeat, in view of the misapprehension which prevails in the matter, that no sales of Indian sugar have yet been made by the Corporation in Persia. Exports of jute goods to Persia have never been canalised through the Corporation, but the volume of exports through ordinary commercial channels has had to be restricted to essential requirements.

7. With regard to the allegation of profiteering made against the Corporation it has already been stated that supplies to Russia are not made on a profit making basis. The Government of India have been informed that, taking its activities as a whole, the Corporation operates at a loss and even in particular cases where profits may seem to arise, there is generally some off-setting factor. It has been stated that the Corporation demands unpriced invoices from sellers and that this is done deliberately with a view to concealing the rate at which it has obtained the goods. This, however, is not at all correct. The real position is that in respect of supplies to Russia, full priced invoices are first obtained from suppliers and despatched to London where the financial settlement with Russia is finalised. Goods are then despatched by various routes, and the so-

called "unpriced invoices" are really specifications of the goods which are required as enclosures to the Bills of Lading or the Railway receipts.

8. Most of the criticisms against the policy of the Supply Department in respect of purchases made by them for the United Kingdom Commercial Corporation have already been answered in the Press Note issued in July 1942. The Supply Department make purchases on behalf of the Corporation only in so far as it is necessary to meet the essential requirements of Empire and allied countries in regard to commodities which are controlled and are in short supply. About 90 per cent of such purchases are for Russia and the only alternative to these supplies being handled by the Corporation would be for the Supply Department themselves to undertake the entire work.

I have the honour to be,

Sir,

Your most obedient servant,

S. N. RAY,

Joint Secy. to the Govt. of India.

Information promised in reply to starred question No. 247, asked by Seth Yusuf Abdoola Haroon on the 5th March, 1943.

PROMOTION OF JUNIOR GOODS CLERKS IN KARACHI DIVISIONAL SUPERINTENDENT'S OFFICE.

(a) None. The post of Rates Clerks require special aptitude and those Goods Clerks who possess this are chosen to officiate in these posts, which are out of their normal line of advancement.

(b) Government understand that the Railway does not propose to confirm these men as Rates Clerks Grade II; they will seek promotion in their turn in their own line.

Information promised in reply to part (a) of the starred question No. 260 asked by Kunwer Hajeer Ismaiel Ali Khan, on the 9th March 1943.

PROPERTY CONFISCATED IN SIND UNDER MARTIAL LAW.

No immovable property has been confiscated. Approximate value of movable property confiscated in Sind under Martial Law, is Rs. 57,900.

2. The information in para. 1 above does not include property, belonging to the late Pir Pagaro, confiscated to the Government.

Information promised in reply to starred question No. 300 asked by Mr. Muhammad Ahsan on the 15th March, 1943.

RECRUITMENT OF MUSLIMS AND NON-MUSLIMS ON BENGAL AND ASSAM RAILWAY.

The number of Muslims and non-Muslims recruited in permanent and temporary vacancies during the periods referred to is as follows:—

Period.	Permanent.		Temporary.	
	No. of Muslims.	No. of non-Muslims.	No. of Muslims.	No. of non-Muslims.
Recruited during June 1941 to June 1942	176	191	1,280	1,692
July 1942 to January 1943	6	3	796	1,080

Information promised in reply to part (c) of unstarred question No. 53 asked by Mr. Lalchand Navalrai on the 15th March, 1943

PROMOTION OF ASSISTANT STATION MASTERS TO STATION MASTERS' POSTS ON NORTH WESTERN RAILWAY.

(c) By selection on the basis of merit with due regard to seniority. The Railway Board have prescribed no rules in this connection but the matter is within the competence of the railway administration.

Information promised in reply to starred question No. 321 asked by Khan Bahadur Shaikh Fazl-i-Haq Piracha on the 16th March, 1943.

CONTRACTS IN AVIATION WORKS.

(a) In certain cases, where the normal procedure of awarding contracts for works by competitive tenders was not found practicable, due to urgency of works and paucity of contractors, aviation works had to be awarded by private negotiations.

(b) Rs. 12,25,96,832.

(c) Rs. 81,49,482.

Information promised in reply to part (b) of starred question No. 354, asked by Bhai Parma Nand on the 23rd March, 1943.

HINDI AND URDU AS MEDIA OF PUBLICITY IN THE INFORMATION AND BROADCASTING DEPARTMENT.

(b) In the All-India Radio the staff is not recruited for Hindi and Urdu programmes as such but for Hindustani programmes. Taking the matriculation and higher examination passed as the criterion the strength of such staff in All-India Radio is:—

	Hindi.	Urdu.
Gazetted	1	4
Subordinate	13	38

Information promised in reply to part (b) of starred question No. 360, parts (b) and (c) of starred question No. 361 and starred questions Nos. 362 and 363, asked by Mr. Muhammad Nauman on the 24th March, 1943.

REPRESENTATION OF MUSLIMS IN BENGAL AND ASSAM RAILWAY ESTABLISHMENT OFFICES.

No. 360.—(b) A statement giving the required information is laid on the table of the House.

Statement showing (1) the number of Muslim clerks, stenographers and typists in the Establishment Offices of the B. & A. Railway, and (2) the number of Muslims appointed in these categories from 1st January, 1940 to 31st December, 1942.

Strength (Muslims) on 1st January, 1940.		Strength (Muslims) on 31st December, 1942.		No. of Muslims appointed from 1st January, 1940 to 31st December, 1942.	
Temporary.	Permanent.	Temporary.	Permanent.	Temporary.	Permanent.
12	83	78	94	117	34

REPRESENTATION OF MUSLIMS IN BENGAL AND ASSAM RAILWAY ESTABLISHMENT OFFICES.

No. 361.—(b) The number of Muslim clerks employed in the Establishment Offices of the B. & A. Railway was 86 and 124 on 1st April, 1940, and 1st April, 1942, respectively.

(c) No.

REPRESENTATION OF MUSLIMS IN BENGAL AND ASSAM RAILWAY ESTABLISHMENT OFFICES.

No. 362.—(a) According to General Manager's circular letter No. 185-E/18-PVI, dated 5th July, 1941, 50 per cent. of vacancies in the Establishment Branches of the Bengal and Assam Railway are to be reserved for members of all minority communities and not exclusively for Muslims. The number of Muslims employed in these offices increased from 112 on 5th July, 1941 to 172 on 31st December, 1942.

(b) Out of 106 vacancies, 49 went to Muslims.

NON-APPOINTMENT OF PANEL MUSLIMS AS CLERKS IN CERTAIN BENGAL AND ASSAM RAILWAY LOCO. SHEDS.

No. 363.—(a) Yes, but the reference to General Manager's circular as quoted by the Hon'ble Member is not correct.

(b) On one occasion, when a Muslim approved candidate refused to accept the post and no other Muslim was available, a non-Muslim matriculate was utilized against a temporary vacancy for a period of one month.

(c) The number of non-Muslims who were appointed during the period from 1941 to January, 1943, is four. As regards the second part, no representation was received from any Muslim candidate during this period.

Information promised in reply to part (a) of starred question No. 365, asked by Mr. Muhammad Ahsan on the 24th March, 1943.

RECRUITED MUSLIM AND NON-MUSLIM TALLY CLERKS ABSORBED IN HIGHER POSTS ON BENGAL AND ASSAM RAILWAY.

(a) Yes; Muslims were recruited in excess of the quota reserved for direct recruitment in the category of Tally Clerks grade-Rs. 20-1-28, during the period from 1st April, 1938 to 31st December, 1942. Information for the period from April, 1936 to March, 1938, is not available. There is no grade of Rs. 30-3-45 on the Bengal and Assam Railway. The higher grades of Rs. 30-2-40 and 30-3-45-5-60 are filled by promotion, and communal quotas do not apply in promotion.

Information promised in reply to starred question No. 372, asked by Maulvi Muhammad Abdul Ghani on 24th March, 1943.

MUSLIM ELECTRICAL CHARGEMEN AND ELECTRICIANS ON CERTAIN STATE RAILWAYS.

(a) & (b) A statement giving the required information is laid on the table of the House.
(c) The Bengal and Assam Railway contemplate recruiting 3 Electrical Chargemen during 1943-44. As regards the second part, the answer is in the negative, although it is understood that some reserve posts have been created on the Bengal and Assam Railway.

Statement showing the number of Electric Chargemen and Electricians on the Bengal and Assam, East Indian and Oudh and Tirhut Railways.

Railway.	Electrical Chargemen.				Electricians.			
	Total No. in service.	Total No. of Muslims.	No. appointed during the last three years.	No. of Muslims appointed during the last three years.	Total No. in service.	Total No. of Muslims.	No. appointed during the last three years.	No. of Muslims appointed during the last three years.
Bengal and Assam	74*	7	29	3	19†	4	4‡	1
East Indian	81	2	Nil	Nil	15	2	Nil	Nil
Oudh and Tirhut	1	Nil	Nil	Nil	30	6	Nil	Nil

*Includes 10 temporary.
†Includes 1 temporary.
‡Includes 1 temporary.

Information promised in reply to unstarred question No. 65, asked by Mr. K. C. Neogy on the 24th March, 1943.

SUPPLY OF WAGONS TO BENGAL AND BIHAR COLLIERIES FOR LOADING COAL.

(a) Total number of collieries in the Bengal and Bihar coalfields with daily bases of 5 wagons and under	298
Total number of wagons and of priority wagons allotted to the collieries referred to in Part (a).	
	January, 1943.
(b) Total number of wagons	4,857
(c) Total number of priority wagons excluding Provincial quota wagons	4,565
	February, 1943.
	5,795
	4,842

Information promised in reply to unstarred question No. 69, asked by Mr. Muhammad Azhar Ali on the 24th March, 1943.

PROMOTION OF RELIEVING GUARDS ON EAST INDIAN RAILWAY DIVISIONS

(a) The qualification for appointment as a relieving guard is his suitability to fill higher transportation subordinate posts such as assistant station master, assistant yard master and controller and higher posts.

(b) The reply to the first part is in the negative; the second part does not arise.

(c) None; the second part does not arise.

Information promised in reply to starred question No. 394, asked by Mr. Muhammad Nauman on behalf of Mr. Muhammad Ahsan on the 29th March, 1943.

NON-OPERATION OF SCHEME FOR TRAINING MUSLIMS FOR POSTS AND DRAFTSMEN, ETC., ON BENGAL AND ASSAM RAILWAY.

(a) Yes.

(b) No. Apprentice Mechanics are given the necessary training in mechanical drawing and are eligible for appointment as Draftsmen (Mechanical). On the Civil Engineering side, it has not been possible to make any special arrangements for training Muslims for the post of Draftsmen due to the present emergency.

(c) There are two Muslim Assistant Draftsmen on the B. & A. Railway, who are qualified as . . . Their request for transfer to outdoor duties could not be acceded to due to the exigencies of service.

(d) Government regret they cannot undertake to give the names and qualifications of the individuals referred to.

Information promised in reply to starred question No. 406, and parts (d) and (g) of starred question No. 408, asked by Mr. Muhammad Nauman on 29th March, 1943.

TRANSFER OF MUSLIM CLERKS IN THE OFFICE OF SUPERINTENDENT, WATCH AND WARD, BENGAL AND ASSAM RAILWAY.

No. 406.—One Muslim Number Taker who was an approved candidate for a clerical post was employed temporarily in the office of the Superintendent W. & W. as a substitute clerk on the scale 30-3-45-5-60 and was subsequently transferred (to make room for the absorption of a senior clerk who had become surplus elsewhere) as a Station clerk on the scale Rs. 30-2-40 for a short time before permanent promotion to the grade of clerk on scale Rs. 30-3-45-5-60.

MAXIMUM AGE LIMIT FOR CLERICAL RECRUITMENT IN THE POSTS AND TELEGRAPHS DEPARTMENT

No. 408.—(d) Muslims 22; Non-Muslims 134.

(g) In no other Department. Competitive examinations for promotion in the Posts and Telegraphs Department are being abolished.

Information promised in reply to parts (b) to (e) of unstarred question No. 77, and unstarred question No. 82 asked by Hajee Chowdhury Muhammad Ismail Khan on the 29th March, 1943.

TIME ALLOWED FOR INSPECTION OF STATION ACCOUNTS ON EAST INDIAN RAILWAY.

No. 77.—(b) Yes.

(c) The time allowed for inspection is fixed in relation to the number of transactions and to miscellaneous work, such as handling charges, etc.

(d) The time allowed for the inspection of stations referred to, is as given below:—

Fyzabad	14 days	Bulandshahr	7 days
Shahjahanpur	12 "	Khurja City	7 "
Rampur	18 "	Khurja Junction	5 "
Roorkee	8 "	Amroha	5 "
Najibabad	7 "	Hardwar	12 "
Nagina	4 "	Gurhmukhtesar	4 "

The figures of monthly traffic and monthly earnings are not readily available and their collection cannot be undertaken under present conditions.

(e) Yes, Gaya, Aligarh and Delhi. As regards the third part, time spent travelling to the place of inspection is a necessary concomitant of inspection work.

CHANNEL FOR PROMOTION AS INSPECTOR, TRANSPORTATION (ROLLING STOCK).

No. 82.—(a) No; promotion to posts of Inspector Transportation (Rolling Stock) are made from East Indian Railway Train Examiners grade I, and grade I Train Examiners of the combined system. Old Oudh and Rohilkhand Train Examiners grade 'A' have first to secure promotion to East Indian Railway Train Examiner grade I to become eligible for promotion to posts of Inspector.

(b) The seniority of grade I Train Examiners is determined from the date of promotion to that grade.

(c) There is no old Oudh and Rohilkhand Train Examiner grade I, and there is no special discrimination against old Oudh and Rohilkhand Train Examiners grade 'A' with regard to their seniority when they secure promotion of East Indian Railway Train Examiners grade I. The reply to the second part is in the negative.

Information promised in reply to unstarred question No. 84, asked by Mr. Muhammad Azhar Ali on the 29th March, 1943.

STAFF APPOINTED AS TRANSPORTATION INSPECTORS IN MORADABAD DIVISION.

(a) Experience is a desideratum and no person is promoted as an Inspector unless he is capable of performing the duties connected with the post.

(b) The reply to the first part is in the negative. As regards the second part, information is not readily available and its collection cannot be undertaken under present conditions.

Information† promised in reply to a supplementary question to starred question No. 456, asked by Mr. K. C. Neogy on the 31st March, 1943.

PROPAGANDA PROGRAMME OF THE NATIONAL WAR FRONT.

* * * * *

Information promised in reply to starred question No. 457, asked by Mr. K. C. Neogy on the 31st March, 1943.

MACHINE-GUNNING ON A MOB FROM AIR NEAR RANAGHAT IN BENGAL.

(a) Yes.

(b) The Chief Minister of Bengal is referring to the same incident as that mentioned by the Deputy Commander-in-Chief in his reply to question No. 66 in the Council of State on the 25th of September, 1942. The facts are that the pilot of an aircraft saw a crowd on the railway line near Ranaghat about 16 miles south of Krishnagar. The aircraft dived five times over the crowd in order to ascertain whether or not they were saboteurs. As it was not possible to make this certain and as the crowd did not disperse the Pilot fired 15 rounds over their heads with no intention of causing casualties. No bombs were dropped and there were no casualties. The occurrence took place on the 21st of August, 1942 and a report of the incident was received by the Bengal Government on the 22nd August. The discrepancies in the Chief Minister's statement may be due to a misunderstanding of the material laid before him.

(c) The answer to the first part is in the affirmative, and liaison was maintained through a civil liaison officer of the Bengal Government attached to Military Headquarters in Calcutta. Air Force patrols acted in accordance with instructions received from those headquarters.

(d) Orders to Pilots were issued by the Defence Service authorities in accordance with instructions relating to the use of regular forces in aid of the civil power. Pilots were told to fire on persons who, so far as they could judge, were committing acts of sabotage or looting, and aircraft sorties were employed to reconnoitre and patrol lines of communication not otherwise adequately protected. Strict orders were given that no bombs were to be dropped and cannon were not to be fired. Restrictions were also placed on the number of machine guns which could be used by multi-machine gun fighters.

DEATH OF MR. NAOROJI DUMASIA.

The Honourable Sir Sultan Ahmed (Leader of the House): Sir, it is with great regret that I have to refer to the death of our friend Mr. Naoroji Dumasia, who was a Member of this Assembly when he died on the 22nd of 12 Noon. June last. Mr. Dumasia was an elected Member of this House from the 29th November, 1923, to the 21st January, 1926, and again from the 21st August, 1930, till the end of the fourth Assembly some time in 1934. Mr. Dumasia died at the age of 73 after a prolonged illness which became serious in the first week of last June. He was one of the oldest journalists in the Bombay Presidency and had a career extending about 50 years during which he was associated with Indian statesmen and leaders of political thought in different parts of the country. He was the oldest member of the editorial staff of the *Times of India*. He was a member of the Bombay Municipal Corporation for 10 years and for some time of the Bombay Improvement Trust and also of the first Bombay Legislative Council created under the Montford Reforms. Later on, he came to this House. In this Assembly, in recent times, because of his illness, he did not speak very often, but whenever he did he spoke with the courage of his convictions. Sir, we deeply mourn his loss and beg of you to convey to his family our deepest sympathies in their bereavement.

Nawabzada Muhammad Liaquat Ali Khan (Rohilkund and Kumaon Divisions: Muhammadan Rural): Mr. President, I join the Honourable the Leader of the House on behalf of my Party in mourning the loss of one of our veteran colleagues. As the Honourable the Leader of the House has stated, he had been in public life for a very long time. He started his career long before

† Not included in these Debates, but a copy has been placed in the Library of the House.—
Ed. of D.

some of us were even born and he rendered useful services in the spheres of life in which he was engaged. I request you to convey the sympathies and the condolences of our Party to the members of the family of Mr. Dumasia.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): Sir, I associate myself and my Party with the expression of sorrow which has been uttered by the Honourable the Leader of the House at the death of Mr. Dumasia. He was a public man for a long time and rendered useful service to the country in a variety of ways. I also desire that we should send our condolences to the bereaved family.

Sir Henry Richardson (Nominated Non-Official): Sir, Mr. Dumasia was liked and respected by all Members of this House and we in this Group much regret the passing of this very loyal and friendly colleague. We join most sincerely in the sentiments which have been expressed.

Mr. Hoosenbhoy A. Lalljee (Bombay Central Division: Muhammadan Rural): Sir, I rise to join in the tribute that has been paid to Mr. Naoroji Dumasia who was a Member of our Party. It is painful duty for me that we should have to perform once again this painful duty so far as my Party is concerned. He is the second veteran of our Party whom we have lost. After the tribute that has been paid by the Leader of the House I have very little to add except to say that I come from the same city from which he came here and in our city we can never forget the name of Mr. Dumasia as one of the oldest journalists, and a public citizen in the public life of Bombay. As a member of the Municipal Corporation, he did all he could for the welfare of the people and I must say that his activities in that capacity never showed any bias of any communal type whatsoever. That is a great trait for which we must certainly admire a person specially who has done so much service and specially more in these times.

With regard to this Assembly, as the Leader of the House has pointed out, he served this Assembly on three occasions, but I can tell you, Sir, that as a member of our Party we have lost in him a Member who was very free and frank in our deliberations and in this House. We seldom have people who speak out their minds without any reservation and freely and frankly. His loss has been a great loss to us and I beg of you to convey our tribute to the family of the deceased.

Mr. President (The Honourable Sir Abdur Rahim): I share the sorrow that has been expressed by the Leader of the House and by the other speakers and I associate myself with the tribute that has been paid to the memory of the deceased, Mr. Naoroji Dumasia, who, as the Leader of the House has pointed out, had rendered for a long time valuable services as a journalist. I shall forward the condolence of the Assembly to the bereaved members of the family of the deceased.

MOTIONS FOR ADJOURNMENT.

REFUSAL OF THE GOVERNMENT OF INDIA TO FORWARD MAHATMA GANDHI'S LETTER TO MR. M. A. JINNAH.

Mr. President (The Honourable Sir Abdur Rahim): I have received notice of a motion for adjournment of the House from Sardar Sant Singh. The Honourable Member wishes to discuss a definite matter of urgent public importance, namely refusal of Government of India to forward the letter of Mahatma Gandhi to Mr. Muhammad Ali Jinnah, M.L.A., President of the Muslim League in May last.

I want to know the facts from Government about the refusal to forward the letter.

The Honourable Sir Reginald Maxwell (Home Member): Sir, the Government of India made the public know the fact that they had refused to forward this letter in a Communique of the 27th May last where they said that the refusal was in accordance with their known policy in regard to correspondence or interviews with Mr. Gandhi. A similar case arose at the last Session when it was sought to move the adjournment of the House on the ground of refusal of Gov-

[Sir Reginald Maxwell.]

ernment to allow the Bombay Conference Delegation to interview Mr. Gandhi, where I also pointed out that this policy had been in existence for a considerable time and that there was nothing new in it. On that, Sir, you held that this was not a new or an urgent matter coming within the meaning of the rules. I submit, Sir, that this case is exactly of the same kind and there is no question of policy to discuss.

Sardar Sant Singh (West Punjab: Sikh) My submission in this respect is this.

Mr. President (The Honourable Sir Abdur Rahim): How do you distinguish the two cases?

Sardar Sant Singh: This is not a question which relates to the policy of the Government which they had enunciated before as it is argued by my Honourable friend the Home Member. The position is that the Government of India are committed to the policy of bringing about an agreement between the various communities in this country, and here was a chance of bringing about that agreement. They stood deliberately in the way and thus flouted their own declared opinion. Therefore the Government of India require to be censured on this point.

Mr. President (The Honourable Sir Abdur Rahim): As the Honourable the Home Member pointed out, that policy is nothing new.

Sardar Sant Singh: I am saying that this is a new point, namely, the non-forwarding of the letter to Mr. Jinnah which was intended for the purpose of bringing Mahatma Gandhi and Mr. Jinnah together and to bring about an agreement between the two major communities in this country. For this act the Government of India require to be censured.

Mr. President (The Honourable Sir Abdur Rahim): I hold that this motion is not in order. The policy relating to communication between Mr. Gandhi and the outside public is nothing new. It was in existence, I believe, during the last Session also when a similar motion was ruled out of order. I hold that this motion is not in order.

REFUSAL OF PERMISSION TO MR. W. PHILLIPS TO SEE MAHATMA GANDHI.

Mr. President (The Honourable Sir Abdur Rahim): The next motion is also in the name of Sardar Sant Singh. This has been disallowed by the Governor General on the ground that the motion cannot be moved without detriment to the public interest. I ought to mention to the House that the motion relates to the refusal of the Government of India to grant permission to Mr. W. Phillips, the personal representative of Mr. Roosevelt, President of the United States of America, to see Mahatma Gandhi.

DEPRIVING CERTAIN LOCAL GOVERNMENTS OF THEIR POWER TO CONTROL FOODSTUFFS WITHIN THEIR RESPECTIVE JURISDICTIONS.

Mr. President (The Honourable Sir Abdur Rahim): The next motion is in the name of Mr. Abdur Rasheed Choudhury. He wishes to move:

"That the House do adjourn to discuss a matter of urgent public importance, namely, the action of the Government of India in issuing Notification No. 5-DC(28)43, dated New Delhi, the 18th May, 1943, under the Defence of India Act, 1939 (XXXV of 1939), amending proviso to sub-rule (2) of Rule 81 of the Defence of India Rules and thereby depriving the Governments of Bengal, Assam, Bihar and Orissa of their power to control foodstuffs within their respective jurisdictions and making null and void all orders passed by the said Governments up to 18th May, 1943, in this connection and thereby forcing up prices of foodstuffs in the Provinces of Assam, Bihar, Orissa, specially of rice beyond the capacity of purchasing power of the population of these Provinces."

Is there any objection to this motion being moved?

The Honourable Sir Muhammad Azizul Huque (Food Member): Sir, the whole question including this will be the subject-matter of debate in this House in connection with the motion which I have tabled. Sir, I feel that a question like this cannot be discussed in isolation from all other factors that are in operation and the conclusions which he has drawn are not also correct.

Mr. President (The Honourable Sir Abdur Rahim): That is on the merits.

The Honourable Sir Muhammad Azizul Huque: Yes. In view of the fact that another motion which has been tabled has not yet been discussed, this motion will not be in order.

Mr. President (The Honourable Sir Abdur Rahim): What is that motion?

The Honourable Sir Muhammad Azizul Huque: To discuss the food situation, including the discussion of the subject which has been taken up in this adjournment motion.

Mr. President (The Honourable Sir Abdur Rahim): This motion raises a specific question.

The Honourable Sir Muhammad Azizul Huque: That specific question also will come within the scope of the Resolution which I have tabled.

Mr. Abdur Rasheed Choudhury (Assam: Muhammadan): No, Sir. This is quite a separate thing. It is a specific question. This motion has been tabled in order to discuss this matter which is of urgent public importance, namely, the action of the Government of India in issuing the notification under the Defence of India Act.

Mr. President (The Honourable Sir Abdur Rahim): Is there any objection to leave being granted?

The Honourable Sir Muhammad Azizul Huque: I object.

Mr. President (The Honourable Sir Abdur Rahim): As objection has been taken, will those Honourable Members who are for leave being granted rise in their places?

(Less than 25 Honourable Members stood up.)

Mr. President (The Honourable Sir Abdur Rahim): Less than 25 Members have stood up and so, leave is refused.

FAILURE OF THE GOVERNOR GENERAL'S COUNCIL TO PROTEST AGAINST LEGISLATION BY ORDINANCES.

Mr. President (The Honourable Sir Abdur Rahim): The next motion is in the name of Mr. Amarendra Nath Chattopadhyaya. He wants to discuss a definite matter of urgent public importance, *viz.*, that the Governor General's Council failed to protest against the practice of issuing laws through ordinances by the Governor General on his own individual responsibility without consulting either the Governor General's Council at a meeting or the Legislative Assembly and thereby lowering the dignity of both. I think this is too general and vague and so it cannot be allowed.

DEPRIVING CERTAIN LOCAL GOVERNMENTS OF THEIR POWER TO CONTROL FOOD-STUFFS WITHIN THEIR RESPECTIVE JURISDICTIONS.

Mr. President (The Honourable Sir Abdur Rahim): No. 12 of which notice has been given by Maulvi Abdul Ghani is the same as that of Mr. Abdur Rasheed Choudhury and is therefore barred.

Maulvi Muhammad Abdul Ghani (Tirhut Division: Muhammadan): Sir, I am referring particularly to Bihar and Orissa.

Mr. President (The Honourable Sir Abdur Rahim): That does not make any difference; the question raised is the same.

MALADMINISTRATION IN DISTRIBUTION OF WHEAT.

Mr. President (The Honourable Sir Abdur Rahim): The next motion is in the name of Sir Zia Uddin Ahmad who wants to discuss the maladministration in distribution of wheat leading to miseries of the people in spite of the presence of sufficient stock of wheat in the country.

Dr. Sir Zia Uddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, I do not want to move it because this is also covered by the previous motion.

FAILURE TO BRING IN CIRCULATION SUFFICIENT NUMBER OF SMALL COINS.

Mr. President (The Honourable Sir Abdur Rahim): The next motion is in the name of the same Honourable Member who wants to raise the question of the failure of Government in bringing in circulation sufficient number of small coins leading to the rise in prices of small coins.

I think this question was debated at the last Session on Mr. Bajoria's motion.

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): It was not about hoarding but only about the scarcity of coins.

The Honourable Sir Jeremy Raisman (Finance Member): The motion, Sir, is substantially the same as was debated in the last Session. The only change in the situation is that it has improved in various parts of the country and that the output of coins has also greatly increased.

Dr. Sir Ziauddin Ahmad (United Provinces Southern Divisions: Muhammadan Rural): Sir, the Finance Member promised in the last Session that he would be minting small coins in large numbers and the trouble would be at an end. But the trouble is now all the greater and for a paper rupee note you only get 13 or 14 annas so that its purchasing power is less than one rupee in small coin. That is why we want to discuss it here.

Mr. President (The Honourable Sir Abdur Rahim): I think this motion is not in order as it raises practically the same question that was debated in the last Session on the motion of Mr. Bajoria.

FAILURE TO PUT INTO OPERATION THE RECIPROCITY ACT AGAINST THE COLONIAL AFRICANS RESIDING IN INDIA.

Mr. President (The Honourable Sir Abdur Rahim): The next motion stands in the name of Mr. Deshmukh who wishes to discuss the failure of Government to put into operation the Reciprocity Act against the colonial Africans residing in India at present after the passing of what is known as the Pegging Act by the Union Government of South Africa.

I understand a day has been allotted for the discussion of this matter?

The Honourable Dr. N. B. Khare (Member for Indians Overseas): Sir, I am moving today for leave to introduce a Bill to amend the Reciprocity Act and also to discuss the situation arising out of the Pegging Act.

The Honourable Sir Sultan Ahmed (Leader of the House): Sir, as the matter is exceedingly important and we know that Members of this House and the public outside are very anxious to know the position, Government are prepared to give a day for the discussion of this vitally important question.

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadan): Sir, in the circumstances I withdraw the motion.

Mr. President (The Honourable Sir Abdur Rahim): The next motion is the same as the previous one.

FAILURE TO SUPPLY FIRST-AID EQUIPMENT, MEDICINES, ETC. ON THE MAIL TRAIN WHICH COLLIDED WITH GOODS CARRIAGES AT BORGAON NEAR AKOLA.

Mr. President (The Honourable Sir Abdur Rahim): Then by another motion Mr. Deshmukh wishes to raise the question of the failure of Government to supply materials necessary for first medical aid, medicines, stretchers, etc., and equipment such as electric torches, etc., on the mail train which recently collided with goods carriages at Borgaon near Akola which resulted in greater loss of life and limb and property than it otherwise would have been if the train had been equipped as mentioned.

The Honourable Sir Edward Benthall (Member for Railways and War Transport): Sir, I do not appear to have received notice of this motion although I am aware of its existence.

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadan): I sent a notice on the same day as I sent it to the President.

Mr. President (The Honourable Sir Abdur Rahim): If he has not received the notice it cannot be moved.

The Honourable Sir Edward Benthall: But I do not necessarily wish to stand on that as it may have gone astray. I would say, however, that this matter of the accident at Borgaon is under investigation by the Chief Inspector of Railways under the Posts and Air Department; and in the circumstances if this adjournment motion were moved I should not be able to make a comprehensive statement until that report is received. I would also point out that there was first-aid equipment on the train and also full medical relief

equipment on the train, and in the circumstances I would suggest that my Honourable friend should withdraw the motion.

Mr. Govind V. Deshmukh: The matter under inquiry relates to the responsibility for the accident; the motion relates not to that but to the absence of first-aid equipment on the train.

Mr. President (The Honourable Sir Abdur Rahim): Will not all these matters that are mentioned in the motion be gone into at the inquiry?

Mr. Govind V. Deshmukh: No, Sir; that is intended to trace the culprits who by negligence or otherwise caused this accident, and will not relate to things which I seek to discuss by this motion, i.e., inadequacy of medical aid.

The Honourable Sir Edward Benthall: I would merely say that if the adjournment motion were moved I should not be able to make a much longer speech than I have already made.

Mr. President (The Honourable Sir Abdur Rahim): Is there any objection to leave being granted?

The Honourable Sir Edward Benthall: Sir, I have no objection but I would again appeal to my Honourable friend to withdraw the motion because I do not think it will serve a very useful purpose.

Mr. President (The Honourable Sir Abdur Rahim): The motion will be taken up at 4 o'clock, but according to the convention of this House, if the business on the agenda is finished earlier than 4 o'clock, the motion will be taken up as soon as that business ends.

H. E. THE GOVERNOR GENERAL'S ASSENT TO BILLS.

Secretary of the Legislative Assembly: Sir, information has been received that the following Bills which were passed by both Chambers of the Indian Legislature during the Budget Session, 1943, have been assented to by His Excellency the Governor General under the provision of sub-section (1) of section 68 of the Government of India Act, as continued by section 317 of the Government of India Act, 1935:

1. The Motor Vehicles (Amendment) Act, 1943.
2. The Government Savings Banks (Amendment) Act, 1943.
3. The Indian Railways (Amendment) Act, 1943.
4. The Aligarh Muslim University (Amendment) Act, 1943.
5. The Code of Civil Procedure (Amendment) Act, 1943.
6. The Indian Penal Code (Amendment) Act, 1943.
7. The Coffee Market Expansion (Amendment) Act, 1943.
8. The Indian Finance Act, 1943.
9. The Reciprocity Act, 1943.
10. The Tobacco (Excise Duty) Act, 1943.
11. The Vegetable Product (Excise Duty) Act, 1943.
12. The Indian Tea Control (Amendment) Act, 1943.
13. The Delhi Muslim Wakfs Act, 1943.
14. The Indian Army and Air Force (Military Prisons and Detention Barracks) Act, 1943.
15. The Trade Marks (Amendment) Act, 1943.
16. The Muslim Personal Law (Shariat) Application (Amendment) Act, 1943.

AMENDMENT TO THE INSURANCE RULES.

The Honourable Sir Muhammad Azizul Huque (Commerce Member): Sir, I lay on the table a copy of a further amendment to the Insurance Rules, 1939, published under the Department of Commerce Notification No. 597-1(1)/43, dated the 3rd April, 1943.

Department of Commerce, Notification, New Delhi, the 3rd April, 1943.

No. 597-1 (1)/43. (Insurance).—In exercise of the powers conferred by sub-sections (1) and (2) of section 114 of the Insurance Act, 1938 (IV of 1938), the Central Government is pleased to direct that the following further amendment shall be made in the Insurance

Rules, 1939, the same having been previously published as required by sub-section (1) of the said section, namely:—

To sub-rule (1) of rule 15 of the said Rules, the following proviso shall be added, namely:—

"Provided that an election for the holding of which the latest date otherwise permissible under this sub-rule is a date in the year 1943 may be postponed to a date not later than the 31st December, 1944".

S. R. ZAMAN, Joint Secy.

AMENDMENTS TO CERTAIN MOTOR VEHICLES RULES.

Sir Gurunath Bewoor (Secretary, Posts and Air Department); Sir, I lay on the table a copy each of:

(i) Notification No. A-3-54/43, dated the 5th May, 1943 issued by the Chief Commissioner of Coorg, under the Motor Vehicles Act, 1939.

(ii) Notification No. F-12(8)/43-General, dated the 31st March, 1943, issued by the Chief Commissioner of Delhi, under the Motor Vehicles Act, 1939; and

(iii) Notification No. 12(8)/43-General, dated the 5th July, 1943, issued by the Chief Commissioner of Delhi, under the Motor Vehicles Act, 1939.

The Chief Commissioner of Coorg, Notification, dated Mercara, the 5th May, 1943.

No. A-3-54/43.—In exercise of the powers conferred by section 68 of the Motor Vehicles Act, 1939 (IV of 1939), and the notification of the Government of India, Department of Communications No. R-60, dated the 28th June 1939, the Chief Commissioner is pleased to make the following amendments to the Coorg Motor Vehicles Rules, 1940, issued with his notification No. R. F-43/121-39, dated the 26th March, 1940:—

Amendment.

After rule 53(b) add the following:—

53(c). The fee for the countersignature of a permit and for its renewal shall be—

(i) for the countersignature of a permit—

(a) for the 1st year of validity	16
(b) for every subsequent year	8

(ii) for the renewal of permit for every year of validity. 8

K. CHENGAPPA, Chief Commissioner.

Office of the Chief Commissioner, Delhi; Notification, Delhi, the 31st March, 1943.

No. F-12(8)/43-General.—In exercise of the power conferred by clause (f) in sub-section (2) of section 21 of the Motor Vehicles Act, 1939, read with the notification of the Government of India in the Department of Communications No. R-60, dated the 28th June, 1939, the Chief Commissioner is pleased to make the following rule, the same having been previously published with his Notification No. F-12(8)/43-General, dated the 26th January, 1943.

RULES.

If any person who on the 3rd day of September, 1939, held a licence to drive a motor vehicle issued under the Indian Motor Vehicles Act, 1914, or under section 7 of the Motor Vehicles Act, 1939, and has subsequently been employed on military service outside India applies at any time not later than six months after his release from military service for the renewal of the driving licence held by him under the Motor Vehicles Act, 1939, or for a new licence under that Act, he shall be exempt from liability to any fee therefor in excess of three rupees and shall also be exempt from any fee on account of any test of his competence to drive.

The foregoing rule shall continue in force until the expiry of twelve months after the end of the present war and shall then cease to have effect.

Delhi, the 6th July, 1943.

No. F-12(8)/43-General.—The Chief Commissioner is pleased to direct that the following modifications be made in the rule promulgated with his notification No. F-12(8)/43-General, dated the 31st March, 1943, being a rule made in exercise of the power conferred by clause (f) in sub-section (2) of section 21 of the Motor Vehicles Act, 1939, read with the Notification of the Government of India in the Department of Communications No. R-60, dated the 28th June 1939.

I. For the words "not later than six months" in the sixth and seventh lines of the rule the words "not later than one year" shall be substituted.

II. For the words "twelve months" in the second paragraph of the rule the words "two years" shall be substituted.

A. V. ASKWITH, Chief Commissioner, Delhi.

THE WAR INJURIES (COMPENSATION INSURANCE) BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

The Honourable Dr. B. R. Ambedkar (Labour Member): Sir, I present the Report of the Select Committee on the Bill to impose on employers a liability

to pay compensation to workmen sustaining war injuries and to provide for the insurance of employers against such liability.

THE DELHI UNIVERSITY (AMENDMENT) BILL.

PRESENTATION OF THE REPORT OF THE SELECT COMMITTEE.

Mr. J. D. Tyson (Secretary, Department of Education, Health and Lands): Sir, I present the Report of the Select Committee on the Bill further to amend the Delhi University Act, 1922.

THE INDIAN BOILERS (AMENDMENT) BILL.

The Honourable Dr. B. R. Ambedkar (Labour Member): Sir, I move for leave to introduce a Bill further to amend the Indian Boilers Act, 1923.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That leave be granted to introduce a Bill further to amend the Indian Boilers Act, 1923."

The motion was adopted.

The Honourable Dr. B. R. Ambedkar: Sir, I introduce the Bill.

THE PUBLIC DEBT (CENTRAL GOVERNMENT) BILL.

The Honourable Sir Jeremy Raisman (Finance Member): Sir, I move for leave to introduce a Bill to consolidate and amend the law relating to Government Securities issued by the Central Government and to the management by the Reserve Bank of India of the Public Debt of the Central Government.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That leave be granted to introduce a Bill to consolidate and amend the law relating to Government Securities issued by the Central Government and to the management by the Reserve Bank of India of the Public Debt of the Central Government."

The motion was adopted.

The Honourable Sir Jeremy Raisman: Sir, I introduce the Bill.

THE MINES MATERNITY BENEFIT (AMENDMENT) BILL.

The Honourable Dr. B. R. Ambedkar (Labour Member): Sir, I move for leave to introduce a Bill to amend the Mines Maternity Benefit Act, 1941.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That leave be granted to introduce a Bill to amend the Mines Maternity Benefit Act, 1941."

The motion was adopted.

The Honourable Dr. B. R. Ambedkar: Sir, I introduce the Bill.

THE MOTOR VEHICLES (DRIVERS) AMENDMENT BILL.

The Honourable Dr. B. R. Ambedkar (Labour Member): Sir, I move for leave to introduce a Bill to amend the Motor Vehicles (Drivers) Ordinance, 1942.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That leave be granted to introduce a Bill to amend the Motor Vehicles (Drivers) Ordinance 1942."

The motion was adopted.

The Honourable Dr. B. R. Ambedkar: Sir, I introduce the Bill.

THE CODE OF CRIMINAL PROCEDURE (AMENDMENT) BILL.

The Honourable Sir Asoka Kumar Roy (Law Member): Sir, I move for leave to introduce a Bill further to amend the Code of Criminal Procedure, 1898.

Mr. President (The Honourable Sir Abdur Rahim): The question is: "That leave be granted to introduce a Bill further to amend the Code of Criminal Procedure, 1898."

The motion was adopted.

The Honourable Sir Asoka Kumar Roy: Sir, I introduce the Bill.

THE AGRICULTURAL PRODUCE (GRADING AND MARKING) AMENDMENT BILL.

Mr. J. D. Tyson (Secretary, Department of Education, Health and Lands): Sir, I move for leave to introduce a Bill further to amend the Agricultural Produce (Grading and Marking) Act, 1937.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill further to amend the Agricultural Produce (Grading and Marking) Act, 1937."

The motion was adopted.

• **Mr. J. D. Tyson**: Sir, I introduce the Bill.

THE INDIAN ARMY AND INDIAN AIR FORCE (AMENDMENT) BILL.

Mr. C. M. Trivedi (Secretary, War Department): Sir, I move for leave to introduce a Bill further to amend the Indian Army Act, 1911, and the Indian Air Force Act, 1932.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill further to amend the Indian Army Act, 1911, and the Indian Air Force Act, 1932."

The motion was adopted.

• **Mr. C. M. Trivedi**: Sir, I introduce the Bill.

THE RECIPROCITY (AMENDMENT) BILL.

The Honourable Dr. N. B. Khare (Member for Indians Overseas): Sir, I move for leave to introduce a Bill to amend the Reciprocity Act, 1943.

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadian): On a point of information, may I know whether a motion for the consideration of this Bill will be made in this Session?

The Honourable Dr. N. B. Khare: Yes, Sir.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That leave be granted to introduce a Bill to amend the Reciprocity Act, 1943."

The motion was adopted.

The Honourable Dr. N. B. Khare: Sir, I introduce the Bill.

THE CRIMINAL PROCEDURE AMENDMENT BILL.

The Honourable Sir Asoka Kumar Roy (Law Member): Sir, I move:

"That the Bill to make certain provision for appeals in criminal cases tried by a High Court exercising original criminal jurisdiction be referred to a Select Committee consisting of Mr. Lalchand Navalrai, Sir Syed Raza Ali, Sir Muhammad Yamin Khan, Rao Bahadur N. Siva Raj, Sir George Spence, Mr. P. J. Griffiths, Sardar Sant Singh and the Mover and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Sir, I believe this motion will be entirely uncontroversial. Honourable Members will recollect that the Bill was circulated on a motion moved by the Honourable the Law Member on the 16th of February last. The opinions received disclose unanimous approval of the principle of the Bill. I need not at this stage refer to the various points of detail which have been raised, but if the House will accept my motion, I have no doubt they will be carefully considered by the Select Committee. I do not think that on this motion I should take up the time of the House any further. Sir, I move.

Mr. President (The Honourable Sir Abdur Rahim): Motion moved.

"That the Bill to make certain provision for appeals in criminal cases tried by a High Court exercising original criminal jurisdiction be referred to a Select Committee consisting of Mr. Lalchand Navalrai, Sir Syed Raza Ali, Sir Muhammad Yamin Khan, Rao Bahadur N. Siva Raj, Sir George Spence, Mr. P. J. Griffiths, Sardar Sant Singh and the Mover and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Mr. Lalchand Navalrai (Sind: Non-Muhammadian Rural): I will not take up much time of the House. I must say that this amendment is very much overdue. I will explain in a few words what this Bill aims at. At present, there is no right for a person convicted by a High Court under the original jurisdiction to appeal to anyone.

Originally, when British rule came into force, there were Courts called King's Courts and also Company's Courts. Then the King's Courts came to be called Supreme Courts and the Company's Courts remained as such. At that time there was no appeal allowed against the decisions given by the High Court. Subsequently when the Charter was made, then, too, the Charter provided no appeal, especially with regard to the three High Courts—the High Court of Calcutta, the High Court of Madras and the High Court of Bombay.

It will be seen that subsequently the Criminal Procedure Code provided for appeals in the Provinces, but not by these three High Courts which remained exclusive for deciding in any way they liked without there being any opportunity of their decision being contested. Therefore, Sir, from time to time, there has been a complaint that the High Courts should not be allowed to leave those decisions unredressed by a higher Court. It is very necessary that when there is a decision given by any Court there ought to be an appeal. That gives confidence to the people. Now it may be said that because it is a High Court, therefore there should be no remedy to the people for going to any Appellate court. This would be erroneous, because Judges are not infallible.

I am very glad that Government have now awakened to the necessity of this amendment. I give credit to Sir Sultan Ahmed who first introduced this Bill when he was Law Member. Now that he has the Honourable Sir Asoka Kumar Roy with him, I feel sure that a very satisfactory Bill will come out of the Select Committee.

Of course, there are provisions in the contemplated Bill which require to be amended and considered. They have also been very briefly described in the opinions that are now before the House, and certain opinions are such that they will carry weight, and I hope they will be given full consideration.

As we are considering the principle of the Bill, I submit that it is necessary to refer to certain points. To begin with, Sir section 411A allows the appeal. With that we are all agreed. When we come to 411A(b) then I think that some change is required and the Select Committee should consider it. Now the appeal is being given, but I think the work is being done half-heartedly in spite of the procedure that is being adopted.

The procedure is this. At present appeals are allowed by the Bill. For instance, in Karachi, appeals are permitted from the High Court decision while the High Court sits as a Sessions Court. But that appeal goes to it on a point of law. The demand of the public is that appeals should not only be allowed on a question of law but also on a question of fact. In that respect I find a provision here, but it is half-hearted. I think the Honourable Members responsible for this should take courage in both their hands and say that there will be appeals also on the question of fact and let not it be hedged, or restricted or barricaded in such a way as to make it anything but as good as it would be otherwise.

In para. (b) they say that "with the leave of the Appellate Court, or upon the certificate of the judge or judges who tried the case that it is a fit case for appeal, against the conviction on any ground of appeal which involves a matter of fact only, or a matter of mixed law and fact, or any other ground which appears to the appellate Court to be a sufficient ground of appeal" then the appeal on facts will be heard. With regard to that, my submission is this. To say, first of all, that a Judge who has decided the case should give a certificate appears to me to be not a good and salutary provision. How would the Judge who decides the case like his judgment to be set aside? Virtually in most cases we shall find that such certificates are refused; for what do we find in these days? Apart from the fact that they commit mistakes, we find another thing, that will bar them from giving a certificate. The impression we have or the public have is this, that in some cases their convictions are counted for promotion, many other things are done which are taken into consideration. In that case how would they like that their convictions should be set aside or their errors pointed out . . .

Sir Syed Raza Ali (Cities of the United Provinces: Muhammadan Urban): The Honourable Member is dealing with a Judge of the High Court. Surely, it is not the conviction by the High Court that counts either for promotion or against it.

Mr. Lalchand Navalrai: Well, I am talking generally. It may be that the High Court Judges may be sitting on a higher pedestal, there is no doubt that they have got more intellect. I will admit all that, but all the same they are liable to make mistakes. And when they make mistakes,—no one would like

[Mr. Lalchand Navalrai.]

that what he is doing should be criticised, and from that point of view this provision ought to be amended or considered well in the Select Committee.

Coming to the question of leave of the High Court, this will be double trouble to the High Court; this is duplication. First of all, when the appeal comes, the question arises whether the High Court should go into the question of fact. Of course, on the question of law they will go into it. But so far as the question of fact is concerned, the High Court will have to decide and then give permission. Then they should go through the whole record to find out whether there is a question of fact of such a nature that they should give leave. Then when the case comes before them regularly they have to go into the whole question over again. Why do you give them double trouble, and also that will take time. Therefore, forthwith say that on the question of law as well as of fact, when it is a first appeal from the first trial court it should be considered from all points of view.

I find that the provision under section 434 is being omitted. Section 434 is a salutary section. When a conviction has been made and there is a question of law in which there is some doubt, then it is referred to other Judges or other High Court. I should like to know from the Honourable the Law Member why that provision is going to be omitted and why it should not remain. I submit that all possible help should be given to the person who is convicted, that the decision given in the case should be free from all defects. I hope the Honourable Member will explain why it is proposed to omit that section instead of retaining it.

In clause 2 I find:

"Notwithstanding anything elsewhere contained in any Act, or Regulation, an appeal under this section shall be heard by a Division Court of the High Court composed of not less than two judges, being judges other than the judge or judges by whom the original trial was held; and if the constitution of such a Division Court is impracticable, the High Court shall report the circumstances to the Provincial Government with a view to the transfer of the appeal under section 527 to another High Court."

In connection with this, defects have been pointed out, which the House would find at page 3 of the Opinions. The defects are these.

Under the heading, N.-W. F. Province, we find:

"Sardar Raja Singh considers that the Bill is a step in the right direction while Mian Ziauddin and Lala Diwan Chand Obhrai, are of opinion that the Bill does not concern this province as this Court exercises no original criminal jurisdiction."

Further on, we find:

"It makes no provisions for the transfer of 'applications for leave' . . ."

The Honourable Sir Sultan Ahmed (Leader of the House): May I suggest that these opinions will have to be considered by the Select Committee and they will be considered there? My Honourable friend is a member of the Select Committee.

Mr. Lalchand Navalrai: I do understand that fully but what . . .

Mr. President (The Honourable Sir Abdur Rahim): The Honourable Member himself will be on the Select Committee too.

Mr. Lalchand Navalrai: I understand that, but my point is this. There may be certain Members in this House who may say something about this and that will be helpful to the Select Committee. I will not take long. I am only pointing out—if you say, that I may say, page so and so, I will do so, but my belief is that other Members may also contribute something.

Mr. President (The Honourable Sir Abdur Rahim): Other Honourable Members will take care of themselves.

Mr. Lalchand Navalrai: But what I mean is this. When a transfer is made, then it is for the Court to say that the case should be transferred. But supposing that the Court does not make any order, there is no provision made for it. If it is transferred by the Provincial Government and then it goes again to another High Court and that High Court does not consent. . . .

Mr. President (The Honourable Sir Abdur Rahim): I think the Honourable Member is not sticking to his original resolution.

Mr. Lalchand Navalrai: Honourable Members on this side were very generous, but what I meant to say was this. However I have one more thing to say. May I know whether the contempt of court cases also would come under this or not? What we find is that the High Courts have got the power to try contempt of court and I should think that they are original cases under the original powers of the High Court. Therefore it should be made absolutely clear that this provision of appeal should also apply to contempt of court cases. I would like to hear the Honourable the Law Member on that point. I would only point out that recently there have been some excesses or some defects, where the High Courts have gone into the question, and in that regard the Contempt of Court Act may have to be amended. I do not know if the Government are going to bring in another Bill, but I say that an appeal should be allowed. There have been cases where it cannot be said that there have not been excesses and abuses. If Honourable Members have read that well known pamphlet of Mr. Gauba, Lala Harkishen Lal's son, it points out many defects and certain abuses with respect to the jurisdiction regarding contempt of court. Therefore, that also should be either included in this Bill or provision for that should be made.

Then I am glad to see that from the Division Bench, an appeal to the Privy Council has been allowed. I have nothing more to say.

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadan): I should like to say just a few words. As I am not a member of the Select
1 P.M. Committee. I think I am entitled to speak unless the Law Member prevents me by appointing me as a member of the Select Committee.

This Bill proposes to confer a right of appeal on the convicted person as well as the Government. So far as the convicted person is concerned, I thoroughly agree with what the Bill proposes to do and with what has fallen from my friend, Mr. Lalchand Navalrai; but so far as the right of appeal for the Government is concerned, I am not in favour of it. The High Court comes to a decision. There has been an investigation and a full trial has been gone through. Under those circumstances I submit that there should be no right of appeal from the judgment of the High Court given to the Government. Then, so far as the right of appeal given to the accused is concerned, it should be a full right, not merely on matters of law but also on evidence or fact. As it is, if you take these two sections, 435 and 439, of the Criminal Procedure Code—on matters of law, the accused has a remedy. So, on the question of evidence and finding of fact, if any extension of the right of appeal is to be given, it should be given and it will really count for something.

Another thing I wish to say is this. I have been helped in this matter by my friend, sitting on my right, the Congress Member (Mr. Sami Venkatachalam Chetty). So far as the conferring of the right of appeal on the convicted person is concerned, there is a very elaborate procedure but so far as the Government is concerned, the Government has not got to go through this elaborate procedure of applying for a certificate as the wording of the present provision stands. With these few remarks, I support this motion for Select Committee and these observations may be taken into consideration by the Select Committee.

The Honourable Sir Asoka Kumar Roy: I am glad that the principle of the Bill has been accepted. Mr. Lalchand Navalrai and Mr. Deshmukh have made certain observations with regard to the details of the Bill. I have no doubt that their observations will be carefully considered by the Select Committee.

Honourable Members know that this Bill was introduced to remove an anomaly. There was no appeal provided for under the law against judgments of the High Court in the exercise of their ordinary original criminal jurisdiction. There was a limited right to go to a Full Bench upon a certificate of the Advocate General or upon any question of law being reserved by the trial Judge himself. It was felt for some time past that a right of appeal should be given to an accused person in matters arising out of the exercise of original criminal jurisdiction by the High Courts and this Bill owes its origin to that feeling. The principle of the Bill has been accepted by everybody and I am

[Sir Asoka Kumar Roy.]

sure any important points which have been raised will be considered by the Select Committee. I need not say anything more.

Mr. President (The Honourable Sir Abdur Rahim): The question is:

"That the Bill to make certain provision for appeals in criminal cases tried by a High Court exercising original criminal jurisdiction be referred to a Select Committee consisting of Mr. Lalchand Navalrai, Sir Syed Raza Ali, Sir Muhammad Yamin Khan, Rao Bahadur N. Siva Raj, Sir George Spence, Mr. P. J. Griffiths, Sardar Sant Singh and the Mover and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

The motion was adopted.

Mr. President (The Honourable Sir Abdur Rahim): The House will now take up the adjournment motion. I need not remind the House that the debate will terminate at the end of two hours.

The Honourable Sir Sultan Ahmed (Leader of the House): As it is time for the House to adjourn now, may I suggest that the debate on the adjournment motion be taken up after Lunch?

Mr. President (The Honourable Sir Abdur Rahim): Very well, if that will suit the convenience of the House.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Syed Ghulam Bhik Nairang (one of the Panel of Chairmen) in the Chair.

MOTION FOR ADJOURNMENT.

FAILURE TO SUPPLY FIRST-AID EQUIPMENT, MEDICINES, ETC., ON THE MAIL TRAIN WHICH COLLIDED WITH GOODS CARRIAGES AT BORGAON NEAR AKOLA.

Mr. Govind V. Deshmukh (Nagpur Division: Non-Muhammadan): Sir, I move:

"That the Assembly do now adjourn."

While making this motion I want to make one point very clear. It is not my purpose to fix the guilt on any particular individual regarding the collision between the two trains, one being the goods train and the other the down Mail coming from Bombay. It is not my purpose either to contradict the official figures as regards the persons who were killed and who were injured. I will confine myself to the specific purpose of this motion which I have mentioned very clearly, namely, that when the accident did take place, the passengers were hurt and injured; some of them were lying very near the compartments and some were inside the compartments and their limbs were somehow interlocked; when passengers were in that condition, no proper medical aid was given. My main complaint is that there was no proper medical aid which could be administered to these persons who were lying in that pitiable condition. I was told that there was medical aid. Before I tabled this motion, I made inquiries from railway officers and from the passengers who travelled by this mail train. One of them happened to be a doctor, the son of a doctor friend of mine. When the accident took place, there was not sufficient light. The collision was heard at a distance where there is a village called Borgaon, people came from there and when they saw the passengers in that condition, they administered water to those who were thirsty and gave such other aid as the ordinary villagers are capable of doing. But fortunately some doctors and some soldiers were also travelling by that train. When the doctors got out and saw this pitiable condition, they started working but they found that there was not first medical aid or such other things which could help them to administer some relief. I was told here that they had first medical aid. I will tell you the character of the medical aid. It is a small box which is carried in the guard's van. I have learnt from the guards and the drivers themselves that they are given some sort of training in administering first aid. But just imagine the sort of first aid that they carry. They carry a few bandages, a bottle of tincture of iodine and cotton wool and even these things are not sufficient for more than one or two

cases. I think I carry more first medical aid in my small bag than these guards and drivers are expected to carry. My friends have seen, as a matter of fact, that I do carry some first medical aid with me. So, when these doctors got out of the compartments, they did not know what to do with the wounded passengers. But they started thinking about the thing and wanted to have some appliances and some other handy things which would help them to remove the persons who were in that predicament to which I have referred. They wanted to remove those who were wounded to some distance from the place where the accident took place so that they could be conveniently treated.

Now, there were no stretchers in the train. This statement cannot be contradicted. It is not their practice to carry any stretchers in the vans. They carry only a small box. There is nothing else which could be of any use to the doctors. I have made inquiries and I have learnt that on the Nizam's State Railways they do carry one or two stretchers in the guard's van. Sir, this accident has not taken place all of a sudden. There have been accidents in India for the last two or three years, particularly on the East Indian Railway. And there have been cases of sabotage also. So, this was not the first accident of its kind and therefore the railway authorities cannot say that they did not know that any such thing is likely to happen. These have been matters of frequent occurrence. So the Government should have taken the necessary precautions.

So far as the lights are concerned, there were two or three kerosene lanterns and some oil is given to them to use in these lanterns. This much light was not sufficient. On some railways—and this is certainly the case in the case of foreign railways—to safeguard themselves against such an emergency, they do carry electric torches, they carry stretchers and they also carry sufficient surgical material to be of use to doctors who may be able to render help to the injured persons. Then, they should carry some stimulants for those passengers who have fainted or for those who need them after some preliminary treatment. In view of the fact that the Government is not careful or vigilant about the safety of the passengers and also in view of the fact that such accidents have taken place very frequently, we must say that the Government has made no attempts to improve matters. Even the education, with regard to first medical aid that is given to the guard and the driver is very poor indeed. I am not surprised that this perfunctory first medical aid is given to them. It is perfunctory because they do not consider it of any importance. I have made inquiries and found that there is nothing for them to put their hearts into it because they do not get any extra allowance or extra pay for being acquainted with this first medical aid. As it is one of the conditions that the guard and the driver must have this knowledge of first aid, they get acquainted with it anyhow. But the principal thing is that even if there are other passengers who want to render help to the wounded and injured, there are not enough things by which the wounded passengers could be given relief. That is the primary object in moving this motion. It is enough to censure the Government for not observing their duty towards the third class passengers from whom they get the major portion of their income. Third class passengers were the persons who suffered most in this respect. Very few upper class passengers were affected. We know the condition in which third class passengers travel; they are packed like sardines. If there were more casualties, I shall not be surprised. The Government derive much of their revenue from third class passengers. The formation of the train is such that anyhow first and second class passengers are safe and third class passengers alone suffer. Very few precautions are taken. They take only a small box containing medicines to save the lives of passengers. My intention was and is that Government should hereafter make due provisions and not neglect their primary duty as they have done till now in spite of the accidents that have taken place on the East Indian Railway which also formed the subject matter of adjournment motions several times in this House. In spite of those adjournment motions from Members coming from Bengal and Bihar, the Government remained callous and did

[Mr. Govind V. Deshmukh.]

nothing during the last two or three years to prevent accidents of this character. Sir, I move.

Mr. Chairman (Syed Ghulam Bhik Nairang): Motion moved:

"That the Assembly do now adjourn".

Dr. P. N. Banerjee (Calcutta Suburbs: Non-Muhammadan Urban): Sir, accidents on railways have been very frequent in recent years. Almost at every Session of the Legislative Assembly, adjournment motions are moved relating to railway accidents. I myself have been responsible for moving several adjournment motions. But what has the Government done? The Government have not taken any active steps to prevent these accidents. At least we do not know what steps they have taken to prevent the railway accidents. On every occasion that an accident took place, human lives have been lost and on the present occasion a large number of lives has been lost. It is not the purpose of the present motion to discuss the question of guilt or otherwise of the driver or other officers of the railway, because I am told by the Honourable Member for War Transport that it is the subject of an enquiry. Even then no persons have been put on their trial.

An Honourable Member: Certain persons have been put on trial.

Dr. P. N. Banerjee: Whatever may be the present situation, the present motion does not go into the question of the guilt of certain persons or the innocence of certain persons. But the present motion raises the question which is not of a political character, but is of a humanitarian character. It is the duty of the Government to prevent accidents and to prevent loss of life as far as possible. For that purpose they should provide adequate equipment on the railways for giving first aid. Then they should also make arrangements for their proper treatment at as near a place as possible. These things have not been done in the present instance; these precautions have not been taken. That is why the adjournment motion has been tabled. My Honourable friend, Mr. Deshmukh, has pointed out that the villagers were the first to render assistance. All credit to them. Then came the doctors and they tried to be very helpful. But what can doctors do without any equipment? There were no surgical appliances, there was a bottle of tincture iodine and so forth. Of course, when so many persons were killed and when so many were injured such appliances and medicines were very inadequate. It is on account of the inadequacy of the appliances and medicines that a large number of lives was lost. It may be said that what is past is past. But if we refer to the past, the reason is that we have to learn our lesson for the future from our past experience. If it is ascertained, if it is proved, that the equipment was inadequate for giving medical aid, then the Government should so provide in future that in case of an accident, as few human lives be lost as possible. That is the contention. There is no politics in it. It is a humanitarian question, and I hope the Honourable Member for War Transport will look into the question from a broad point of view and provide against such things happening in future.

Mr. Muhammad Nauman (Patna and Chota Nagpur *cum* Orissa: Muhammadan): Sir, I do not propose to discuss this in the light of a censure motion. But I do think it necessary that in the present conditions in which we live, where the number of railway accidents have assumed rather an alarming proportion, the Government ought to revise their ways and they ought to take proper steps and proper care not only to eliminate the chances of accidents but also to face facts and make necessary arrangements for such medical equipment to be carried in passenger trains as would be considered reasonably sufficient and good equipment for the first aid arrangement. The capacity of a train to carry passengers varies probably between 300 and 500. I do not mean to suggest that medical equipment should be carried to give aid to 300 or 500 passengers. It may be reasonably expected that 20 per cent of them may have fatal effect or even some effect where immediate

medical aid may be necessary and, therefore, I suggest that medical equipment should be carried for about 60 persons to 80 persons on the average. I have not seen the medical box which is supposed to be carried by the guard in the guard van. Relying on the statement which Mr. Deshmukh made on the floor of the House just now that they carry medical equipment sufficient only to give aid to two or three injured persons, well, certainly that is pitiable. Under normal conditions, *i.e.*, before 1934 accidents were not so frequent as they are now since 1935. Many circumstances have been responsible for this, sabotage being one. Apart from the fact that they should not occur and that how and why these occur, we have to face facts and Railways should make due arrangements to meet the situation. I do not want to make any particular suggestions as the Mover did, *i.e.*, about stretchers and torches and kerosene lamps, etc., but I must say that as the Persian proverb goes—

"Maalehet been wo kār asān kun :"

Translation of which is: "See the time and do what is needed". The medical department on the railways is probably consisting of the best persons to advise as regards the sort of equipment to be carried in order to cope with these accidents and an immediate inquiry should be undertaken on those lines. That is my only submission in this connection.

Mr. Lalchand Navalrai (Sind: Non-Muhammadan Rural): Sir, I thought that after the Mover moved his motion the Honourable Member in charge would reply so that we could understand the position and offer our criticisms one way or the other. Sir, the allegations made on this motion are very serious and if the facts are as have been stated, we would be showing our weakness if we do not call it a censure motion. It would surely be a censure motion if the allegations are true. We are told in the first place that medical aid was not sufficient. If that is so, Government should meet this serious charge. With regard to this insufficiency of medical equipment my Honourable friend said that he had made inquiries from passengers in that train and also from other quarters and come to that finding. We do not know what the evidence is on the other side. Of course, there cannot be a medical train going with every train and, of course, no one expects that a particular train is going to meet with an accident; but sufficient material and equipment is very necessary. The small box carried by the guard is not sufficient and there should be more equipment and material there. Therefore the excuse about the small box of the guard cannot come from the other side.

The second allegation was that the lights were insufficient. Of course, a kerosene lamp is carried by the guard and also by the driver but my friend was referring to the absence of torches, and I must say that a sufficient number of electric torches should be carried in a train in order to have better facilities at the time of accidents. The stretchers and other things are small matters, but the point that weighs with me is that sufficient medical aid should be provided. The next thing is that whenever there is an inquiry into a railway accident it is always a departmental inquiry, and the public have an idea that it is not an impartial inquiry because it is always conducted by one of their own officers. I know it is the Chief Inspector who does these inquiries but very often the inquiry has been found to be defective or unsatisfactory; and it is very necessary that the public and the passengers should have complete confidence in the inquiry. Therefore I suggest that if the inquiry is made by the Chief Inspector there ought to be co-opted some judicial officer or magistrate.

The Honourable Sir Edward Benthall (Member for Railways and War Transport): Sir, I submit that that has nothing to do with the motion which is confined to the adequacy of medical supplies.

Mr. Chairman (Syed Ghulam Bhik Nairang): The Honourable Member had better confine himself to the motion. There is no question of any defective inquiry being held.

Mr. Lalchand Navalrai: Then I would say that if the Chief Inspector says that the medical arrangements were sufficient it would not command our

[Mr. Lalchand Navalrai.]

confidence unless some impartial judicial officer were associated with him. It is only thus that Government can absolve themselves from all blame.

Mr. Muhammad Muazzam Sahib Bahadur (Nominated Non-Official): Sir, I do not think that this motion has been brought at a very happy moment. If the matter is not exactly *sub-judice* it is surely analogous to it because there is a departmental inquiry being held. It has even gone, I am told, beyond the stage of a departmental inquiry and as such we should not discuss it. But since the Chair has given its ruling we have got to abide by it.

My Honourable friend, Mr. Deshmukh, said that guards carry with them a first-aid box containing some tincture iodine, bandages and lint. This ^{3 P.M.} little box in itself was not enough to deal with accidents that might occur in a running train. I am one of those who think that in the days when we had experience of ill-conceived sabotage, probably we should have been justified in making the guards van a small dispensary or a hospital, but as it is, my Honourable friend, Mr. Deshmukh, cannot expect every train that carries passengers to behave like a hospital train. What is wanted is a small quantity of such medicines which might be administered in cases when there is an accident. If the idea is that we should have a number of torches, a number of stretchers and a few gallons of tincture iodine, and other appliances that might be required, I cannot possibly support this motion. I wonder whether this is possible. I do not know what is the state of things in England, but I do not think any passenger train there has all these appliances. Incidentally, my Honourable friend said that he himself carries a number of medicines with him.

Mr. Govind V. Deshmukh: I will give you when the necessity arises.

Mr. Muhammad Muazzam Sahib Bahadur: It hardly occurred to me that my Honourable friend, Mr. Deshmukh, was such an unhealthy person.

Mr. Govind V. Deshmukh: It is for persons like you. I am not a selfish man.

Mr. Muhammad Muazzam Sahib Bahadur: If those humanitarian motives are in his view, then probably he is justified.

My Honourable friend, Mr. Lalchand Navalrai, said that drivers and guards ought not only to have these first-aid appliances, but they should be recruited from the medical profession. If that is the idea, I think it is a good suggestion. But if it is a case of the guards having very good medical education before they enter upon their duties—in the way of first-aid, they probably have sufficient knowledge—I really do not think it is necessary.

Then my Honourable friend also made some remarks regarding the Chief Inspector of Railways who is holding the enquiry. I think that is absolutely irrelevant; I do not want to say anything regarding that. I think, if the Railway authorities had taken the precaution to provide the train which met with this accident with such first-aid material as is ordinarily on the train, they have sufficiently discharged their duties.

Mr. Hoosainbhoy A. Lalljee (Bombay Central Division: Muhammadan Rural): Sir, it was not my desire to speak after the speeches I heard on this motion, but after hearing the views of the Honourable Member who has just spoken, I cannot resist making some remarks. The loss of 70 lives to my friend seems to be a very insignificant affair.

An Honourable Member: It was more than hundred.

Mr. Hoosainbhoy A. Lalljee: It was first given out at 90, but subsequently the number came down to 70, and I have reasons to believe that that figure is more correct.

We are passing through war days and thousands and thousands of men are being killed every day, and if that is the mentality of my Honourable friend, I have very little to say. I wish he had seen some of the people who had lost their sons and who had seen that their sons were buried under the debris for three hours. I wish my Honourable friend had seen that there were people

who were shouting for hours together and they could not be located because there was no light at that time. The accident took place between 4 and 4-30 A.M. It was a dark night. To ask for provision on the train for a few hurricane lamps for such an occasion is not asking for much. Do you think guard's lamp and driver's lamp can look after four hundred passengers? When you are spending crores of rupees every day, what is there, after all, if you spend five hundred or a thousand rupees on equipment on each passenger train. This will be a capital expenditure which you will not be required to recur except at the end of 5 or 10 years. If there are no accidents, this equipment will not be used. In fact, these first-aid appliances, suggested by my Honourable friend, Mr. Deshmukh, are such things which can be kept in the guard's van, and after three or four years these can be given over to hospitals. There is—I repeat—no recurring expenditure involved in it, and to say that we should not have even some torches would not, to say the least, be a wise counsel.

Mr. Muhammad Muazzam Sahib Bahadur: I never said so.

Mr. Hooseinbhoj A. Lalljee: But you don't want it.

Our trains carry five to seven hundred passengers through jungles and through such stations where for miles you cannot get even drinking water, leave aside medical practitioner or any kind of medical outfits. Under these circumstances if an Honourable gentleman were to suggest that in the guard's van you should have sufficient first-aid outfit for, say, one hundred passengers, it should be considered as very reasonable. Every ship carrying passengers going out of the harbour has got to carry the necessary equipment according to the number of passengers it carries. Laws and bye-laws are laid down that a steamer carrying so many passengers should have so much outfit, dispensary and what not. But here when we speak what do we find? We find no sympathy and the position is different. If you think that always the nature of accidents which you can have in railway travel are just a window pane falling upon the finger, or a bruise somewhere on the body while getting down from a compartment and for which an outfit worth Rs. 25/- is kept is sufficient then I must say, it is not fair and right. This must now be put right without delay, we cannot allow this position to remain.

So far as this accident is concerned, I have made enquiries in the matter. The Railway authorities, as soon as they came to know about this accident, did all they could: They sent out doctors and nurses from Bombay and everything that could be done was done. This is all very creditable. Very great care was taken at the hospital and at Wardha station and the railway people are looking after those who were injured right uptil now. That is really good. But what we want now is and I quite agree with my Honourable friend, Mr. Deshmukh, that in the trains you must have first-aid and other necessary outfits and you must have lamps and torches, so that if, at all, accidents do take place, people, in searching for their kith and kin lying under the debris, will not in the first instance be groping in the dark for want of enough light and secondly to give them medical relief. I, therefore, say that adequate first-aid outfits and a few hurricanes and torches is not a great thing for the railway administration to provide at once and it must be done. That is all I have got to say on this motion.

The Honourable Sir Edward Benthall: Sir, a terrible accident has occurred and we are all naturally disturbed at the suffering which took place. But to say, as Dr. Banerjea said, that these accidents are of very frequent occurrence, is an inaccuracy, and I should like Dr. Banerjea to remember that there are thousands of trains travelling up and down the lines in India and millions of passengers travelling, and the incidence of accidents even in these times when the trains are overcrowded is very low indeed, and is really very creditable to the operation of the railways. But when an accident of this kind happens, it is only natural that members of the public and Members of this House should wish to look into the circumstances; and that is the reason why, in spite of the fact that my Honourable friend did not submit a notice either to me or to the Department, I agreed this morning to admit discussion of this motion because I

[Sir Edward Benthall.]

hoped that some practical suggestions would come from my Honourable friends as to what should be done in the future.

I should first, perhaps, recall once more that the whole matter of this accident is under investigation. Mr. Lalchand Navalrai, who has, I think, left the House, as he is perhaps not sufficiently interested to hear the explanation, said that he was not prepared to accept the examination of the Inspector. I should like to point out that the Inspector of Railways, who makes an enquiry into these cases, is not a servant of the Railway Department. He is an independent Inspector who makes his report to an entirely separate department, so that his investigation is impartial. He is charged primarily with finding out the causes of the accident and the people, if any, who are to blame. I will say nothing more of that because there are staff who are actually being prosecuted at the moment; but he is also charged with looking into any connected circumstances, and among those connected circumstances he has an obligation to make any comments that he may think fit upon the medical treatment of people who may be injured or killed in an accident.

I think that Mr. Deshmukh could not have been fully informed upon the circumstances of the accident. I think he said that the people who first came to the rescue of the unfortunate injured people were the neighbouring villagers. Well, I am informed that there were, in fact, four doctors travelling on the train, two of them railway doctors, and that these medical men immediately rendered first aid by making use of the First Aid box, which was, of course, inadequate for an accident of this dimension, but who also improvised to meet the circumstances. Mr. Deshmukh said: 'What could a doctor do if he has not adequate medical supplies?' Well, a doctor who is worth his salt knows what to do in a case like this, and as the report says they set about immediately improvising splints and bandages, and thereby I understand, saved a number of lives. Not only that but shortly afterwards, there was assistance from local doctors. I will explain the importance of that in a minute. There was also assistance from the relief train which came upon the scene.

Pandit Lakshmi Kanta Maitra (Presidency Division: Non-Muhammadan Rural). What was the actual interval of time between the occurrence and the arrival of the relief train?

The Honourable Sir Edward Benthall: You do not keep a relief train on the spot! There was also considerable assistance given by 10 British Other Ranks who were travelling on the train and who rendered very valuable assistance in extinguishing the fire and helping the dead and the injured. You will see, therefore, in the first place that the Honourable Member was unjustified in his statement that inadequate aid was rendered.

Dr. P. N. Banerjee: On account of lack of equipment: he did not blame the doctors.

Mr. Govind V. Deshmukh: I blame the Government for the inadequacy of the equipment.

The Honourable Sir Edward Benthall: Let me pay the tribute to the doctors and those who did assist, which Mr. Deshmukh does not see fit to pay. I am saying that the doctors rendered very notable assistance on this occasion in the interim before the relief train could come.

Let us examine the whole problem. As I understand it, the suggestion of the Honourable Member, or some of the speakers at any rate is that each passenger train should carry enough equipment to provide for a major accident. That was really what my Honourable friend said, that is what it amounted to. In other words, you should start out on the assumption that every train is going to meet with an accident. Well, that is not the principle on which provision is made. The principle on which provision is made is that the train will not meet with an accident. For ordinary accidents, inseparable from any moving objects, you carry a First Aid equipment. The First Aid equipment is not designed to cope with a major accident of this sort. The principle for dealing with major accidents of this sort is the prompt removal to hospitals of those who

are injured. It is the plan that the relief train, which carries a special medical carriage on it, should be on the spot at the earliest possible moment, and that that relief train should supply the necessary medical equipment. For this purpose the relief train is adequately furnished with supplies for major accidents. It is not even suggested that those in charge of the relief train should necessarily apply First Aid to the injured, as everybody knows that First Aid inadequately and unscientifically applied may very easily result in damaging rather than healing the patient. So the principle of the plan is to move to the spot of a serious accident a relief train as soon as possible and to remove the injured to hospital. But I should also mention that it is part of the system of the railways that station masters should have in their possession a list of medical practitioners in their neighbourhood so that if there is an accident in or near their station, they will at once be able to get into touch with local medical aid.

Dr. P. N. Banerjee: Is that the present system?

The Honourable Sir Edward Benthall: That, I understand, is the present system. Obviously, that is a sound system. Whereas you cannot carry special doctors on every train, to enlist local aid is a very desirable thing. I mention this because it was said by my Honourable friend, Mr. Deshmukh—I have not got his exact words, but he indicated that the Government were callous in this matter and gave no attention whatsoever or thought to the poor people who might be injured in accidents on railways. I would suggest that the careful thought which has been given to the laying down of all those regulations in the past shows that Government have not been callous and that, whether or not the first aid box is sufficient for a major accident—whether or not that is the case, Government have gone most carefully into the measures to be taken to relieve accidents of this sort, and if my Honourable friend wishes, I can show him on some other occasion the rules and regulations in connection with the procedure.

As regards the scale of the medical relief provided in these accidents—that I think is the kernel of the question. The scale laid down to be carried by each train and by relief trains has been carefully thought out. It is settled on the advice of the medical section of the Indian Railway Conference Association, an association of all the principal Railways in India. It is on their advice, on the advice of the medical men of the railways that these scales are laid down.

Mr. Muhammad Nauman: When was this scale fixed and what advice received?

Mr. Hoosainbhoy A. Laljee: Before you were born!

Mr. Muhammad Nauman: It must be thirty years ago.

The Honourable Sir Edward Benthall: 1929 is the date of the last paper on the subject that I have here.

Dr. P. N. Banerjee: However, you may place our views before them and they may revise their opinion.

The Honourable Sir Edward Benthall: These scales were laid down by the medical men of the railways and after each accident the adequacy of medical relief is naturally reviewed by the Inspector who is making the inspection. And as a matter of interest, although we have not officially received the final report, we have had an interim report from the Government Inspector which says:

"I think the injured persons received prompt medical attention and there was no undue delay in the relief train reaching the site of the accident."

That shows that the Inspector in this case is also examining the question: and from time to time Inspectors do make suggestions as to what additional medical equipment or medical arrangements should be made on the train.

Mr. Chairman (Syed Ghulam Bhik Nairang): The Honourable Member has one minute more.

The Honourable Sir Edward Benthall: I will close, Sir, by saying that, while we cannot undertake that every train shall start out on the assumption that it is going to have a major accident, we will carefully examine the question of whether the first aid boxes carried on the train are adequate. We will take

[Sir Edward Benthall.]

the advice of the medical section of the Indian Railways Conference Association, but I cannot admit on this occasion that there was any neglect either on the part of the Government or on the part of the railway servants. Sir, I oppose.

Dr. P. N. Banerjea: May I ask a question? What would be the objection to appointing a tribunal to investigate the whole matter instead of relying on the report of the Government Inspector?

The Honourable Sir Edward Benthall: This question was gone into some years ago and it was decided—I presume with the approval of the House,—for I was not here at the time that the Inspectorate of Railways should be removed from the Railway Department in order that they might be a separate and independent body, and so far as the Government are concerned, they accept that position.

Dr. P. N. Banerjea: The House has always insisted on a tribunal.

Mr. Muhammad Azhar Ali (Lucknow and Fyzabad Divisions: Muhammadan Rural): In this debate I find that both on the side of the prosecution and on the side of the defence there are many common points. Both sides admit that medical aid was provided to a certain extent. The only difference is about the degree—that the medical aid provided was insufficient to the number of the injured, or it may be said, to the number of the passengers. Otherwise, the Railway Department admits that every train does not carry such a great amount of medical equipment as may be available in a well fitted hospital. The Honourable the Railway Member on the other side also says that if there are any valuable suggestions coming forward the Railway Department will consider them. Many points being in common, and the difference being not very much, I do not see how my Honourable friend, Mr. Deshmukh, or Mr. Lalchand Navalrai, can divide the House on this question. The accident happened on the 4th June, but no report from the Inspector has come yet. The period that has elapsed since the accident is not a small period; it is a pretty long period, and I think the Railway Department ought to go into this matter.

The Honourable Sir Edward Benthall: I have just explained that this is not a matter for the Railway Department but for another Department. I would also ask whether the Honourable Member does not think it fair that people who are under a serious charge should have the charge most carefully enquired into.

Mr. Muhammad Azhar Ali: This may not be a matter of the Railway Department, it may be the matter of another department. But I urge that the Railway Department should approach the Government and say that such serious accidents happening, reports must come very soon. To say on the floor of the House that it is not a matter concerning the Railway Department is not a sufficient reply to the objection which I have just made. The Honourable the Railway Member has given a good certificate to some doctors and to some other people. I may inform the House that the Muslim League was also on the spot. There were many members of the Muslim League who rendered very valuable service to the injured. Therefore, I think that this is no great occasion for any very great difference between the two sides of the House, and, therefore, the House ought not to divide on the question.

Mr. Govind V. Deshmukh: I am very glad that this adjournment motion has given an opportunity to some Members to open their mouths, who have been all along keeping quiet, and to deliver sermons. As a matter of fact, to start with, I was confining myself to certain facts. I started with facts. The first thing that I said was that I did not wish to go into the causes of this accident. I did not wish to fix any guilt on any person, but in spite of that, when I find that some persons have gone into the matter my surprise is very great. Another misconception on the part of certain Members is that they thought that I had been advocating that a compartment full of medicines or a carriage full of doctors should be attached to every passenger train. It was a perversion

of what I said, it is a misconception of what I said. All that I said was that there should be stretchers, there should be more medical aid, more outfits than are there. How does it mean that I was thinking of a great medical train or a great compartment filled up with all surgical appliances, operation tables, nurses and so on. What made them think so? It was the weakness of their case. Those who wish to support the Government had nothing else to say to support the Government. I cannot otherwise think why matters should have been so exaggerated and perverted as to put into my mouth something which I did not say. As regards those who said that it was not possible to keep anything in the guard's van, have they ever thought about? Do they think that the guard's van is not roomy enough to have a few stretchers put up against the wall of the compartment? Have they ever thought what space it would occupy, what space a few torches would occupy? The box, if it is a bigger one,—would it be a great inconvenience to the guard? How would the operation of the guard be handicapped? Have they ever thought for a single moment about all those things which I have been putting before the House? What I said was that the first medical aid should be increased, that there should be more appliances than are ordinarily to be found nowadays. I referred to callousness, because there have been major accidents during the last three or four years. They have been the subject-matter of adjournment motions in this House. This is the first time, of course, we are coming before this House in this particular way for censuring the Government, not for the accident, not for how it was caused but because of the fact that there was less equipment than there should be. My friends say 'Look here, you are charging us with callousness'. Of course, I do. In spite of these accidents, you will not take the warning and provide for the safety of the lives of the third class passengers. The third class passengers are the passengers who generally suffer the most and if in this particular country, the lesson has not been learnt by the Government, it is because the third class passengers are poor and do not know how to claim compensation. Otherwise you would not have been so negligent, if you had been required to pay damages to all these people who have been killed or maimed. How are trains run in foreign countries? Have you ever inquired? In America, for instance, there is the guard's van in which stretchers, electric torches and medical aid appliances are kept. All these things are kept there. Have they handicapped the running of the trains? I tell you the instance of this very country. In the Nizam's Railway, in the guard's van, stretchers are carried. How had you say it is not possible? Then, Sir, it has been said that medical aid was given. I say it was not given. I say that medical relief arrived at 12 o'clock.

The Honourable Sir Edward Benthall: No, Sir.

Mr. Govind V. Deshmukh: What time did the train arrive from Nagpur?

The Honourable Sir Edward Benthall: 10 o'clock.

Mr. Govind V. Deshmukh: It did not reach before 11 or half-past 11.

The Honourable Sir Edward Benthall: One train arrived at 10.

Mr. Govind V. Deshmukh: I tell you that till the time the relief arrived, number of men were in a state of suspense between life and death. They could have been saved by an injection or two, if there were stretchers and they had been taken to a different place. They would then have had a chance to live. I said so in the very beginning when I opened my case. I want to speak about this dispassionately. Arrangements are made but they are poor. I do not say that no medical relief was given. I said that the medical relief train arrived late. There were certain persons at Borgaon. There is a hospital there. I made inquiries about it. It is poorly equipped. They could not render any help. A few passengers who were hurt were taken to this hospital after some time. I do not say that nothing was done. What I say is that if there were more medical aid, more lives could have been saved. Those persons who lost their limbs were locked up under the debris, so to say, in those conditions for a length of time. I made a full inquiry from the guard, driver and others as to what happens on other railways and then I tabled this

[Mr. Govind V. Deshmukh.]

motion. I am not prepared to take it from anybody that my facts are incorrect, because I have made personal inquiries. It is the usual practice of the Government not to take sufficient precautions. They do not take enough medical aid. How can we think of a major accident on every train, they say. I do not want every train to have a major accident. Accidents have happened several times. Unfortunately they have happened in this country several times, more than in other countries. Therefore, I say that the Government, in the light of what has been said by me and my friend, Mr. Hooseinbhoj Lalljee, and others, should be prepared to go into this matter and furnish more adequate medical relief. I do not know whether the Railway Member is prepared to say that he will take steps to improve matters. Unless he says that he will take steps on the lines of the suggestions I have made, I am not prepared to withdraw my adjournment motion.

Sir Cowasjee Jehangir (Bombay City: Non-Muhammadian Urban): Under the amendment of the Act, all those killed and injured will be paid compensation, whether they claim it or not. I am speaking of the amended Act.

The Honourable Sir Edward Benthall: Certainly they will.

Mr. Govind V. Deshmukh: What is the sense in saying that? How do you know the names of the persons who have been killed? No claim may be made unless somebody comes into the court and gives the names of the persons concerned.

Sir Cowasjee Jehangir: The Honourable Member runs away with his eloquence. All those who have been killed will have to be identified and under the amendment of the Act, they will get compensation, whether they claim it or not. It is possible that some injured people will go undetected but those who have been killed will have to be identified and they will get compensation under the amendment of the Act; limited compensation though it might be.

Mr. Govind V. Deshmukh: Four or five persons could not be identified at all.

Mr. Chairman (Syed Ghulam Bhik Nairang): The question is:

"That the Assembly do now adjourn."

The motion was negatived.

The Assembly then adjourned till Eleven of the Clock on Tuesday, the 27th July, 1943.